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OF ALBERTA

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# Synopsis of Statutes of General Application

ENACTED AT THE  
FIRST SESSION  
OF THE  
EIGHTH LEGISLATURE

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**February 6th to April 7th, 1936**

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Prepared by  
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—and—

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1936

# PROVINCE OF ALBERTA

HIS HONOUR WM. LEGH WALSH,  
*Lieutenant Governor*

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## MEMBERS OF THE EXECUTIVE COUNCIL

HON. WILLIAM ABERHART,  
*Premier and Minister of Education*

HON. JOHN W. HUGILL,  
*Attorney General*

HON. CHARLES COCKROFT,  
*Provincial Treasurer,  
Minister of Municipal Affairs*

HON. E. C. MANNING,  
*Provincial Secretary,  
Minister of Trade and Industry*

HON. W. N. CHANT,  
*Minister of Agriculture*

HON. DR. W. W. CROSS,  
*Minister of Health*

HON. CHARLES C. ROSS,  
*Minister of Lands and Mines*

HON. W. A. FALLOW  
*Minister of Public Works*

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ROBERT A. ANDISON,  
*Clerk of the Legislature,  
Clerk of the Executive Council.*

# INDEX

PAGE

|                                                                   |    |
|-------------------------------------------------------------------|----|
| Agricultural Industries Stabilization Act Repeal Act.....         | 59 |
| Agricultural Relief Advances Act .....                            | 15 |
| Agricultural Societies Act, Amendments .....                      | 27 |
| Alberta Insurance Act, 1926, Amendments .....                     | 36 |
| Alberta Live Stock and Live Stock Products Act .....              | 27 |
| Alberta Municipal Assessment Commission Act, Amendments .....     | 19 |
| Alimony Orders Enforcement Act, Amendments .....                  | 11 |
| Appropriation Act .....                                           | 5  |
| Bills of Sale Act, Amendments .....                               | 11 |
| Brand Act, Amendments .....                                       | 26 |
| Bread Act, Amendments .....                                       | 39 |
| Bureau of Relief and Public Welfare Act .....                     | 17 |
| Calgary School Board Borrowings Act....                           | 53 |
| Chiropractic Act, Amendments .....                                | 26 |
| Companies Act, 1929, Amendments.....                              | 39 |
| Coroners Act, 1927, Amendments.....                               | 12 |
| Corporations Taxation Act, Amendments .....                       | 9  |
| Corporations Temporary Additional Taxation Act, Amendments .....  | 9  |
| Demise of the Crown Act.....                                      | 15 |
| Department of Trade and Industry Act, Amendments .....            | 30 |
| District Courts Act, Amendments.....                              | 12 |
| Domestic Animals Act (Municipalities) Amendments .....            | 20 |
| Domestic Animals (Unorganized Territory) Act, Amendments.....     | 28 |
| Dominion Agricultural Credit Company, Limited, Guarantee Act..... | 28 |
| Dominion Housing Act Mortgages Act....                            | 60 |
| Drainage Districts Act, Amendments.....                           | 22 |
| Electric Power Taxation Act, Amendments .....                     | 21 |
| Engineering Profession Act, Amendments .....                      | 41 |
| Exemptions Act, Amendments.....                                   | 11 |
| Feed Grain and Fodder Advances Act, 1934, Amendments .....        | 21 |
| Fort Saskatchewan Hospital Fund Act....                           | 24 |
| Fuel Oil Licensing Act .....                                      | 32 |
| Fuel Oil Tax Act, 1936 .....                                      | 8  |
| Game Act, 1932, Amendments .....                                  | 29 |
| Government Liquor Control Act of Alberta, Amendments .....        | 5  |
| Hospitals Act, Amendments .....                                   | 24 |
| Imperial Bank of Canada Guarantee Act .....                       | 44 |
| Improvement Districts Act, 1927, Amendments .....                 | 57 |
| Income Tax Act, Amendments .....                                  | 10 |
| Industrial Standards Act, Amendments..                            | 35 |
| Interpretation Act, Amendments .....                              | 11 |
| Irrigation Districts Act, Amendments....                          | 21 |
| Irrigation Rates and Drainage Rates Penalties Act, 1936.....      | 22 |
| Judicature Act, Amendments .....                                  | 13 |
| Labour Disputes Act, Amendments.....                              | 41 |
| Land Titles Act, Amendments .....                                 | 15 |
| Legal Profession Act, Amendments.....                             | 11 |
| Legislative Assembly (Recall) Act .....                           | 42 |
| Lethbridge Northern Colonization Act, Amendments .....            | 23 |
| Licensing of Trades and Businesses Act .....                      | 31 |
| Limitation of Actions Act, 1935, Amendments .....                 | 14 |
| Loan Act .....                                                    | 5  |

| Local Authorities' Borrowings                                                | PAGE |
|------------------------------------------------------------------------------|------|
| Guarantee Act, Amendments.....                                               | 20   |
| Local Tax Arrears Consolidation Act,<br>1933, Amendments .....               | 57   |
| Local Tax Arrears Consolidation Act,<br>1934, Amendments .....               | 57   |
| Local Tax Arrears Consolidation Act,<br>1935, Amendments .....               | 58   |
| Male Minimum Wage Act.....                                                   | 40   |
| Married Women's Act, 1936.....                                               | 13   |
| Mental Diseases Act, Amendments.....                                         | 25   |
| Minimum Wage Act, 1925, Amendments..                                         | 41   |
| Mothers Allowance Act, Amendments....                                        | 20   |
| Municipal District Act, Amendments.....                                      | 55   |
| Municipal Hospital Districts of Cardston<br>and Myrnam Confirmation Act..... | 24   |
| Municipal Hospitals Act, 1929,<br>Amendments .....                           | 25   |
| Oaths of Office Act.....                                                     | 6    |
| Official Guardian Act, Amendments.....                                       | 14   |
| Provincial Industries Development Act..                                      | 35   |
| Provincial Loans Refunding Act.....                                          | 6    |
| Public Health Act, Amendments.....                                           | 24   |
| Public Service Vehicles Act.....                                             | 54   |
| Public Utilities Act, 1923, Amendments..                                     | 58   |
| Religious Societies' Lands Act,<br>Amendments .....                          | 12   |
| Retail Sales Tax Act.....                                                    | 8    |
| Revised Statutes Act, 1936 .....                                             | 14   |
| Rural Mutual Telephone Companies Act,<br>Amendments .....                    | 59   |
| Sale of Goods Act, Amendments.....                                           | 14   |
| School Act, 1931, Amendments.....                                            | 44   |
| School Assessment Act, 1931, Amendments                                      | 52   |
| School Grants Act, Amendments.....                                           | 52   |
| Security Frauds Prevention Act, 1930,<br>Amendments .....                    | 58   |
| Seed Grain and Other Advances Security<br>Act .....                          | 29   |
| Seizures Act, Amendments.....                                                | 15   |
| Slot Machines Act, 1935, Amendments....                                      | 13   |
| Social Credit Measures Act.....                                              | 6    |
| Social Services Tax Act .....                                                | 9    |
| Societies Act, 1924, Amendments.....                                         | 39   |
| Solemnization of Marriage Act,<br>Amendments .....                           | 26   |
| Special Municipal Areas Act,<br>Amendments .....                             | 57   |
| Taxation of Interests in Crown Lands<br>Relief Act, Amendments .....         | 21   |
| Tax Consolidation Act, 1927, Amendments                                      | 20   |
| Tax Recovery Act, 1929, Amendments....                                       | 21   |
| Teaching Profession Act, 1935,<br>Amendments .....                           | 52   |
| Timber Areas Tax Act, Amendments.....                                        | 21   |
| Tort-Feasors Act .....                                                       | 12   |
| Town and Village Act, Amendments.....                                        | 54   |
| Trade Schools Regulation Act,<br>Amendments .....                            | 42   |
| Tradesmen's Qualification Act.....                                           | 34   |
| Tuberculosis Act .....                                                       | 23   |
| Ultimate Purchasers Tax Act .....                                            | 8    |
| Unemployment Relief Act, 1933,<br>Continuation Act .....                     | 44   |
| Vehicles and Highway Traffic Act, 1924,<br>Amendments .....                  | 53   |
| Water Resources Act, Amendments.....                                         | 22   |
| Water Well Drilling Act.....                                                 | 60   |
| Wild Lands Tax Act Repeal Act .....                                          | 42   |
| Workmen's Compensation Act (Accident<br>Fund), Amendments .....              | 59   |

**SYNOPSIS OF**  
**STATUTES OF GENERAL**  
**APPLICATION**

**ENACTED AT THE FIRST SESSION  
OF THE EIGHTH LEGISLATURE**

**APPROPRIATION ACT, 1936** (Chapter 1) appropriates out of the general revenue of the Province for public expenditures as follows:

\$496,391.26 for the period from April 1st, 1934, to March 31st, 1935;

\$4,270,700.03 for the period from April 1st, 1935, to March 31st, 1936;

\$24,528,946.57 for the period from April 1st, 1936, to March 31st, 1937.

**LOAN ACT 1936**, (Chapter 2) authorizes borrowings to raise the sum of \$2,550,000 for the purpose of meeting obligations of the Government in respect of the Public Service and the Provincial Telephones.

**GOVERNMENT LIQUOR CONTROL ACT OF ALBERTA AMENDMENT ACT, 1936**, (Chapter 3) amends the definition of the word "residence" contained in section 2 insofar as it relates to any part of a building which is not exclusively used as a private residence which part is for the time being designated by the Board in writing as a residence or any part of a club which is for the time being designated by the Board in writing as a residence.

Sections 11, 31, 34, 42, 80 and 99 of the Act are amended to meet the new circumstances which arise as a result of the Board undertaking the distribution of beer.

Section 17 of the Act is revised by requiring that liquor stores be closed on holidays which are designated by the regulations as days upon which the same are to be closed, and by requiring that liquor stores are to be closed in the case of a municipal election only if the same are located in a polling district in which polling is taking place.

The amendment made to section 37 makes the closing of an hotel compulsory on a day upon which polling takes place in a municipality if the hotel is located in a polling district in which polling is taking place.

The amendment to section 101 makes interdiction applicable to a person who by excessive drinking endangers the welfare, life or health of any person to whom he owes a duty.

Other provisions amend sections 137 and 142 for the purpose of making the fiscal year of the Board end on the thirty-first day of March.

This Act or any such part or parts thereof as may be designated in any Proclamation of the Lieutenant Governor in Council shall come into force upon such day or days as may be from time to time fixed by the Proclamation.

**OATHS OF OFFICE ACT** (Chapter 4) prescribes forms of oaths of allegiance, official oaths and judicial oaths which are to be used when any person is required by any Act of the Province to take any such oaths and provides for the taking of such oaths by affirmation.

This Act came into force on March 25th, 1936.

**SOCIAL CREDIT MEASURES ACT** (Chapter 5) declares that the people of the Province are entitled to the full benefit of the increment arising from their association.

It authorizes the Lieutenant Governor in Council to appoint fit and proper persons to examine into, consider and formulate proposals having for their object the increase of the purchasing power of the consumer by social dividends, compensating discounts or by other means and the payment to the producers of a just price and the allowance to dealers of a fair commission on turnover; and for such purposes to obtain all necessary data and to report to the Executive Council as to the feasibility of applying any such proposal or any modification thereof having regard to the circumstances of the Province; and further to inquire into and investigate the circumstances of any specified industry and to ascertain as to whether and if so to what extent any circumstance or condition operates to the disadvantage or detriment of the Province and to report to the Executive Council.

The Lieutenant Governor in Council is further authorized and empowered to adopt and put into operation any measures designed to facilitate the exchange of goods and services or any proposal which is calculated to bring about the equation of consumption to production and thus ensure to the people of the Province the full benefit of the increment arising from their association.

This Act came into force on April 3rd, 1936.

**PROVINCIAL LOANS REFUNDING ACT** (Chapter 6) empowers the Lieutenant Governor in Council to enter into agreements with the Government of Canada,—

- (a) providing for the guarantee by Canada of securities heretofore issued or hereafter to be issued by the Province for the purpose of refunding the secured indebtedness of the Province.
- (b) providing for the guarantee by Canada of securities of the Province to be issued hereafter by the Province in respect of Provincial borrowings.
- (c) setting out the terms and conditions subject to which such guarantee is given.

The Lieutenant Governor in Council is empowered to create and issue a perpetual Provincial stock to be known as "The Alberta Government Perpetual Stock," yielding interest payable half-yearly at such rate as may be prescribed by Order in Council. Such stock is not redeemable until the expiration of thirty-five years from the date of issue and thereafter may be redeemed by the government at par at any time fixed for redemption by the Lieutenant Governor in Council.

The said stock and interest thereon are charged upon the General Revenue Fund and unless the payment of interest is guaranteed by Canada, the interest is made a first charge upon the permanent subsidies.

This stock may be created and issued for the purpose of retiring and refunding securities of the Province and liquidating other Provincial indebtedness.

The Lieutenant Governor in Council is further authorized and empowered for the purpose of retiring and refunding all or any Provincial securities:

- (a) to accelerate the maturities of any outstanding Provincial securities;
- (b) to declare that the holder of any security issued by the Province except Alberta Government Stock shall upon the accelerated date or upon the date upon which the same is retireable, accept in lieu of and in full satisfaction of the principal sum payable under such security Alberta Government Perpetual Stock or any other bonds or debentures issued pursuant to The Provincial Loans Act for a principal sum of a like amount;
- (c) to declare that in the event of the date of retirement of any security being fixed pursuant hereto, the holder shall, upon the date so fixed, accept in full satisfaction the amount of the principal payable in respect thereof in lawful money of Canada together with interest up to the said date.

This Act or such part or parts thereof as may be designated in any Proclamation

of the Lieutenant Governor in Council shall come into force upon such day or days as may be from time to time fixed by Proclamation.

**ULTIMATE PURCHASERS TAX ACT** (Chapter 7) provides for the payment of a tax of 2% by the purchaser of any commodity which is purchased by him for his own use or for any purpose other than the resale thereof.

"Commodity" is defined as meaning all goods and chattels which are the subject matter of a sale by retail within the Province but does not include bread, milk, coal, gas, water, newspapers, farm machinery and repairs thereto, binder twine, electricity, agricultural products produced within the Province when sold by the producer thereof, fuel oil within the meaning of The Fuel Oil Tax Act, liquor within the meaning of The Government Liquor Control Act of Alberta, tobacco, sugar, flour and any other commodities which are declared by the Lieutenant Governor in Council to be commodities to which this Act does not apply.

No tax is payable when the price of any one commodity purchased singly, or the aggregate price of several commodities purchased on the same occasion and as part of the same transaction by the same producer, does not exceed fifteen cents.

The duty of collecting and remitting the tax is imposed upon the vendor who is required to keep such books and make such returns as may be prescribed by the regulations.

This Act comes into force on Proclamation.

**RETAIL SALES TAX ACT** (Chapter 8) imposes a tax of 2% upon every retailer in respect of all sales of commodities made by retailers within the Province.

The expression "commodity" has the same meaning as in The Ultimate Purchasers Tax Act (chapter 7 of 1936).

The Act contains a number of other provisions which are generally similar to the provisions of The Ultimate Purchasers Tax Act.

This Act comes into force on Proclamation and upon so coming into force The Ultimate Purchasers Tax Act is repealed.

**FUEL OIL TAX ACT, 1936**, (Chapter 9) re-enacts, with certain modifications, the provisions of The Fuel Oil Tax Act (chapter 44 or 1932) which relate to the imposition and collection of the fuel oil tax.

The definition of "fuel oil" has been extended to include every liquid which is

capable of being used for the generation of power in an internal combustion engine.

The amount of the tax payable remains unchanged at 7c a gallon.

The tax is payable by every person who purchases any fuel oil for his own use and any person who knowingly uses or consumes any fuel oil in respect of which a tax has not been paid is guilty of an offence except only in the case of fuel oil used or consumed in the operation of a motor vehicle, motor boat or aircraft in the fuel tank of which the fuel oil was brought into the Province.

The Lieutenant Governor in Council is empowered to provide by order in council for the making of refunds of and exemptions from the tax or any part thereof to any purchaser or class of purchaser and to prescribe the proofs to be furnished upon application for exemption or refund.

This Act comes into force upon Proclamation.

**CORPORATIONS TEMPORARY ADDITIONAL TAXATION ACT AMENDMENT ACT, 1936,** (Chapter 10) continues in force the provisions of The Corporations Temporary Additional Taxation Act for another year.

This Act came into force on March 25th, 1936.

**CORPORATIONS TAXATION ACT AMENDMENT ACT, 1936,** (Chapter 11),—

- (a) makes express provision to the effect that a company which stores grain, whether as its principal business or as incidental to any other business, shall pay a tax of \$50.00 for each elevator operated by it;
- (b) makes new provision for the computation of the minimum tax payable by investment companies;
- (c) imposes a new tax on companies which operate plants for the recovery of naphtha from natural gas by absorption or otherwise, the extraction from such gas of hydro-sulphide, and sells natural gas to any person who uses the same for the generation of heat, light or power, or resells the same for such purpose; the tax payable in any year is an amount equal to the amount of the income tax which such company is liable to pay in that year.

The provision last referred to comes into force on Proclamation; the remainder of the Act came into force on April 7th, 1936.

**SOCIAL SERVICES TAX ACT** (Chapter 12) repeals The Supplementary Revenue Act and imposes a tax of three mills on the rateable value of all rateable land in every city, town and village (referred to as

“urban municipalities”) and in every municipal district and improvement district (referred to as “rural municipalities”).

Urban municipalities are required to levy for the raising of the tax an amount equal to that which would be produced by a levy of three mills upon the equalized assessment of all rateable land therein, and may levy the amount either against all the rateable land in the municipality or against all the property in the municipality which is liable to assessment and taxation for the general purposes of the municipality.

In the case of rural municipalities the tax is leviable upon the assessed value of all rateable land therein as fixed by the equalized assessment made pursuant to The Alberta Municipal Assessment Commission Act.

In the case of land held under lease or permit for grazing purposes from the Government of Canada or the Government of the Province, a tax of three-fourths of one cent is leviable.

The minimum tax payable in respect of a parcel is twenty-five cents.

The Act contains a number of subsidiary provisions and provides for the case of an urban municipality which has made a levy under The Supplementary Revenue Act during the present year.

This Act came into force on April 3rd, 1936.

**INCOME TAX ACT AMENDMENT ACT, 1936**, (Chapter 13) provides a new schedule of the rates of tax applicable to persons other than corporations and joint stock companies, increasing the rate of taxation and providing for a further increase in the rate in the case of persons with incomes of \$1,200 or more who are entitled to the exemption of \$750 referred to in paragraph (d) of subsection (1) of section 5.

The Act further provides for the payment in the year 1936 of \$30,000 to each of the cities of Calgary and Edmonton and the sum of \$1,500 to the city of Lethbridge on account of the loss of revenue to those cities occasioned by the cessation of the power of those cities to impose a tax in the nature of an income tax, and it is further provided that so long as an income tax is imposed by the Province any power conferred by any statute upon any city or town to impose any tax in the nature of an income tax or of a service tax shall be suspended.

Other provisions of the Act make amendments of a routine character.

This Act came into force on March 25th, 1936, but its provisions were made applicable to income and returns as to income for the year 1935 and every subsequent year.

**LEGAL PROFESSION ACT AMENDMENT ACT, 1936,** (Chapter 14) amends the provisions of The Legal Profession Act as to the method of taking a poll and by repealing certain provisions of the Act relating to the taxation of costs which are covered by the provisions of the Rules of Court.

Another provision of the Act provides that any person not being a barrister and solicitor who for fee, gain or reward draws or prepares instruments relating to real or personal estate or legal proceedings or the incorporation of joint stock companies is guilty of an offence and liable to a fine of not more than \$100. This provision does not apply to,—

- (a) a public officer drawing or preparing instruments in the course of his duty; or
- (b) any person employed merely to engross any instrument or proceeding; or
- (c) a notary public exercising the powers which are conferred upon him by The Notaries Public Act.

This Act comes into force on the first day of July, 1936.

**INTERPRETATION ACT AMENDMENT ACT, 1936,** (Chapter 15) amends the definition of “holiday” so as to include as a holiday the twenty-sixth day of December or, when such day falls on a Sunday, the twenty-seventh day of December.

This Act came into force on April 3rd, 1936.

**ALIMONY ORDERS ENFORCEMENT ACT AMENDMENT ACT, 1936,** ((Chapter 16) enlarges the definition of “alimony” so as to make the Act applicable to sums payable for the maintenance of a child as well as to sums payable to a wife.

This Act came into force on March 25th, 1936.

**BILLS OF SALE ACT AMENDMENT ACT, 1936,** (Chapter 17) makes the provisions of section 33 relating to assignments of the proceeds of sale of a growing crop or a crop to be grown in the future applicable to such assignments whether made before or after the coming into force of The Bills of Sale Act.

This Act came into force on March 25th, 1936.

**EXEMPTIONS ACT AMENDMENT ACT, 1936,** (Chapter 18) makes the provisions of section 2, which confers the right to exemptions to a debtor, inapplicable to executions issued upon judgments or orders for the payment of maintenance for any child of the debtor as well as to executions issued upon judgments or orders for the

payment of alimony or for the payment of maintenance by a husband to his wife.

This Act came into force on March 25th, 1936.

**CORONERS ACT, 1927, AMENDMENT ACT, 1936,** (Chapter 19) restates, with greater particularity, the circumstances under which a death must be reported to the coroner and the circumstances under which the coroner is required to hold an inquest.

The duty to report only arises where there is reason to believe that the death is,—

- (a) an unnatural death; or
- (b) a sudden death for which the cause is unknown; or
- (c) the result of violence; or
- (d) as the result of any wrongful act or omission on the part of any other person; or
- (e) a death which must be the subject of an inquest pursuant to any statute.

A coroner is compelled to hold an inquest where he has reason to believe that the death is either,—

- (a) an unnatural death; or
- (b) a sudden death for which the cause is unknown; or
- (c) caused by violence; or
- (d) caused by the wrongful act or omission on the part of any other person;

or where an inquest is required to be held by any statute of the Province.

This Act came into force on April 3rd, 1936.

**DISTRICT COURTS ACT AMENDMENT ACT, 1936,** (Chapter 20) makes a number of amendments of a routine character designed to remove the difficulties arising out of the amendments made to The District Courts Act by chapter 15 or 1933.

This Act came into force on April 3rd, 1936.

**RELIGIOUS SOCIETIES' LANDS ACT AMENDMENT ACT, 1936,** (Chapter 21) empowers an incorporated congregation to mortgage, charge or otherwise encumber lands of the congregation in order to raise money for the purposes of the congregation or to secure the payment of its indebtedness.

This Act came into force on April 3rd, 1936.

**TORT-FEASORS ACT** (Chapter 22) provides that where damage is suffered by any person as a result of a tort, whether a crime or not, judgment recovered against a tort-feasor shall not be a bar to an action against any other person liable as a joint tort-feasor in respect to the same damage.

In case more than one action is brought in respect of the same damage against tort-feasors liable in respect of that damage, the sums recoverable by way of damages shall not in the aggregate exceed the amount of the damages awarded by the judgment first given.

Any tort-feasor liable in respect of damage may recover contribution from any other joint tort-feasor liable in respect of the same damage whether as a joint tort-feasor or otherwise, the amount of such contribution being in the discretion of the court.

This Act came into force on April 3rd, 1936.

**MARRIED WOMEN'S ACT, 1936,** (Chapter 23) re-enacts the substance of The Married Women's Act, being chapter 214 of the Revised Statutes of Alberta, 1922, and makes it clear that a married woman has the right to sue without joining her husband as a co-plaintiff.

It contains a new provision (section 7) which relieves a husband of liability for his wife's torts merely because he is a husband.

This Act came into force on March 25th, 1936.

**JUDICATURE ACT AMENDMENT ACT, 1936,** (Chapter 24) makes provision for the appointment of a Clerk or Deputy Clerk of the Court in each judicial district or sub-judicial district in the Province to be a public administrator for such judicial district or sub-judicial district, and repeals an existing provision which permits the appointment of trust companies as public administrators; and also makes some consequential amendments.

This Act comes into force upon Proclamation.

**SLOT MACHINES ACT, 1935, AMENDMENT ACT, 1936,** (Chapter 25) extends the definition of "Slot Machine" as as to include any machine or device the result of one of any number of operations is, as regards the operator, a matter of chance or uncertainty or which as a consequence of any given number of successive operations yields different results to the operator, notwithstanding that the result of some one or more or all of such operations may be known to the operator in advance.

Section 4 of the amended Act is repealed and an amendment is made to Section 8 as to the nature of the order to be made by a Justice of the Peace as to the disposition of the slot machines.

This Act came into force on March 25th, 1936.

**OFFICIAL GUARDIAN ACT AMENDMENT ACT, 1936,** (Chapter 26) requires the Official Guardian to act as the guardian of the estate of any infant made a ward of the court under The Children's Protection Act or as the guardian of the estate of any infant upon the order of the court.

This Act came into force on March 25th, 1936.

**LIMITATION OF ACTIONS ACT, 1935, AMENDMENT ACT, 1936,** (Chapter 27) corrects certain erroneous references in Sections 34, 46, and 47 of the amended Act.

This Act came into force on April 7th, 1936.

**REVISED STATUTES ACT, 1936,** (Chapter 28), provides for the revision of the Public Statutes of the Province by the Legislative Counsel under the direction of the Attorney General and contains a number of detailed provisions as to the manner in which the revision shall be made.

The Lieutenant Governor in Council is authorized to bring the revision into force by Proclamation and makes further provision as to the construction of the Statutes so revised and the effect of the revision upon the Statutes which are or are not incorporated therein.

Other provisions relate to the evidential value of the Statutes so revised and other incidental matters.

This Act came into force on April 7th, 1936.

**SALE OF GOODS ACT AMENDMENT ACT, 1936,** (Chapter 29) provides that no contract relating to the sale or resale of a commodity which bears, or the label or content of which bears, the trade-mark, brand or name of the producer or owner thereof and which is in fair and open competition with commodities of the same general class produced by others shall be deemed in violation of any law of the Province by reason of any of the following provisions which may be contained in such contract,—

- (a) that the buyer will not resell such commodity except at the price stipulated by the vendor;
- (b) that the buyer shall require any person to whom he sells the commodity to agree that he will not in turn resell the same except at the price stipulated in the contract;
- (c) that the vendor of the commodity shall not sell such commodity to any other person except at the price stipulated in the contract.

The above section applies to contracts between producers and wholesalers, and

between wholesalers and retailers, or between producers, wholesalers and retailers of any commodity.

This Act came into force on March 25th, 1936.

**LAND TITLES ACT AMENDMENT ACT, 1936**, (Chapter 30) amends section 92 of The Land Titles Act to provide for the registration of mortgages or encumbrances providing for the delivery to the mortgagee or encumbrancee of grain.

This Act came into force on April 7th, 1936.

**SEIZURES ACT AMENDMENT ACT, 1936**, (Chapter 31), makes The Seizures Act inapplicable to seizures made under the provisions of The Stallion Enrolment Act, 1924.

This Act came into force on March 25th, 1936.

**DEMISE OF THE CROWN ACT** (Chapter 32) provides that the holding of any office under the Crown in the right of the Province and the right or capacity to follow any profession or calling shall not be affected by the demise of the Crown; and declares that upon the demise of the Crown it shall not be necessary for any person to take a new oath in respect of such office, profession or calling.

This Act came into force on March 25th, 1936, and relates back to the last demise of the Crown.

**AGRICULTURAL RELIEF ADVANCES ACT** (Chapter 33) makes provision for the making of advances during the year 1936 to necessitous farmers of all or any of the following commodities; feed grain, fodder, seed grain, fuel oil and lubricating oil.

Municipalities are required to make provision to the satisfaction of the Minister for furnishing such advances to necessitous farmers within the Municipality.

Provision is made for loans by the Government to Municipalities of such sums as may be required for the furnishing of farmers with such commodities and for the borrowing by municipalities of money required for the purchase of any such commodity.

Section 10 relates to seed grain advances and prescribes the maximum amounts of seed grain which may be furnished.

All advances of commodities are to be approved by the Minister or by a person appointed by him and are to be made by the Municipality or its agent in the case of a municipal district and by the Minister in the case of an Improvement District.

Upon the making of any advance the recipient is required to give his note for the value of the advance with interest at 6%

per annum and to enter into an agreement in Form B in the schedule to the Act and the Municipality is required to transmit the notes and the agreement to the Minister.

The Minister is required to publish in *The Alberta Gazette* a notice of the fact that any person has received an advance for the first time under this Act, within ninety days of the making of the advance and to file within the same period in the proper Land Titles Office the caveat in Form C.

Upon the publication of the notice in *The Alberta Gazette* for the period above mentioned there is created as and from the date of such publication a lien upon all crops grown from any seed advanced having priority over all claims and demands of whatsoever description, save and except as is otherwise provided, and a lien upon all crops grown by the recipient in the year in which the advance referred to in the notice is made and in each of the next ensuing three years upon the land in respect of which the advance was made, having a similar priority; but the last mentioned lien ceases to exist in the event of foreclosure or sale by the owner of a mortgage which is or becomes a first registered encumbrance from and after the date of such foreclosure or sale.

The lien last referred to is enforceable by the Minister and by any person by whom the advance to which the lien relates is made or any person who is liable as a guarantor in respect of the advance.

The recipient of any advance is prohibited from disposing of any grain which is subject to a lien for such advance without the consent of the Municipality during the year in which the advance is made and in the next ensuing three years so long as any money is owing on account of the advance.

The liens upon crops created pursuant to the Act are not affected by execution in the sheriff's hands as at the time of the creation of the lien or by any encumbrance whenever created except mortgages or encumbrances given as security for the purchase price of necessities within the meaning of Section 32 of The Bills of Sale Act.

The lien on crops is enforceable by distress by such persons as may be appointed by the Minister and by the secretary-treasurer of the district in which the crops are grown and any person appointed by the secretary-treasurer.

Upon the filing of a caveat by the Minister in Form C in respect of any advance made in pursuance to this Act, any sum owing in respect of any advance made at any time within ninety days before the filing of the caveat or at any time thereafter is made a charge upon the land of the

recipient which takes precedence over all other encumbrances against the land except taxes and sums which may be charged against the land in the same manner as taxes and first mortgages.

Provision is made for advances to occupants of land which is the property of the Crown; and if made with the consent of the Minister of Lands and Mines the same become a first charge against the interest of the applicant in such land.

Provision is made for taking a mortgage upon live stock and its increase in case the recipient or advance is a lessee or a homesteader or a purchaser under an agreement of sale.

In case the full amount of the taxes made pursuant to the Act are not recovered, the ultimate loss is borne equally by the Government and by the Municipality of which the recipient is a resident.

Section 27 validates certain by-laws passed by municipal districts since the first of November, 1935, having for their object the provision of seed grain advances in the year 1936.

This Act came into force on March 25th, 1936.

**BUREAU OF RELIEF AND PUBLIC WELFARE ACT** (Chapter 34) is divided into two parts.

Part I provides for the establishment of a bureau of relief and public welfare and the appointment of a Commissioner and places upon the Commissioner and the Bureau duties with reference to transient indigents.

The Commissioner is empowered to deal with indigent cases with respect to which there is a doubt as to whether or not the indigent is a transient, or is an indigent in respect of whom some municipality is liable; in case the Commissioner after due inquiry is satisfied that the municipality is under a legal liability to furnish such relief, the Minister is empowered to recover by the Bureau from such municipality the amount of the relief furnished.

Part II deals with unemployment relief and is applicable in case provision is made at any time by the Government of the Province or by the Government of Canada or by both for the relief of unemployment whereby assistance is afforded a municipality in defraying the costs of providing such relief.

For the purposes of unemployment relief the responsibility of the municipality is confined to persons who have had a home or who have resided within the boundaries of the municipality for at least twelve consecutive months out of the twenty-four months immediately prior to the date of

receiving unemployment relief and who have not received assistance from municipal or provincial funds during the twelve months immediately prior to relief being granted and issued.

A person in receipt of unemployment relief is declared to be not an indigent person for the purposes of any municipal Act.

“Unemployment relief” is defined as food, fuel, clothing and shelter but does not include medical attendance or treatment or hospitalization and the municipality remains liable to make provision for the care and treatment of a person in receipt of unemployment relief if he is in fact indigent and is sick.

Provision is made by section 16 for requiring a person in receipt of unemployment relief to reside in the municipality which affords the relief, provided that the municipality furnishes reasonable facilities for the transportation of such person and his dependants and such effects as he may possess and a home which is reasonably fit for human habitation.

In case any disputes arise under section 16 between the recipient of relief and the municipality, provision is made for the reference of such disputes on the application of either party to a Judge of the District Court for determination.

A municipality which without lawful excuse fails to provide adequate unemployment relief for any resident is guilty of an offence and liable on summary conviction to a fine of not more than \$500; but no prosecution for an offence is to be commenced without the leave of the Attorney General.

The expense of administration of unemployment relief furnished pursuant to the Act is to be borne by the Municipality.

The Municipality is empowered to require the recipient of unemployment relief residing within its corporate boundaries,—

- (a) to perform any work or service which he is capable of performing upon any public work of the municipality which is unemployment relief work, or
- (b) to give an undertaking for the repayment of advances made by way of unemployment relief,

and in exercising this power the municipality is required to give a special consideration to persons who served overseas in the Great War or as members of the Canadian Expeditionary Force or of the naval forces of Great Britain or of any of her Allies.

An applicant for unemployment relief or a recipient of unemployment relief may be required at any time by the Minister or

any municipality concerned as a condition precedent to the granting or continuance of unemployment relief to make an affidavit or statutory declaration as to his means.

This Act came into force on April 3rd, 1936.

**ALBERTA MUNICIPAL ASSESSMENT COMMISSION ACT AMENDMENT ACT, 1936,** (Chapter 35) makes a number of amendments to the provisions of the Act relating to the equalized assessment consequentially upon the repeal of The Supplementary Revenue Act.

The equalized assessment established for the year 1935 is ratified, validated and confirmed and is to continue to be the equalized assessment for the purposes of the Act until a further equalized assessment is established pursuant thereto; and any reference in any Act to the triennial assessment is to be read and construed as a reference to the equalized assessment for the time being established pursuant to the amended Act.

It is provided that in every municipal district and improvement district the assessments of rateable land, as the same appear upon the assessment roll for the year 1935, but subject to any increase or decrease made therein pursuant to the amended Act, shall conform to any directions given by the director for the purpose of bringing about conformity as shown by the assessment roll; and the assessments as confirmed by the director shall be the assessments of rateable land therein for the purpose of taxation pursuant to The Municipal District Act, The Improvement Districts Act, 1927, The School Assessment Act, 1931, and The Social Services Tax Act until the establishment of another equalized assessment.

It is further provided that in every city, town or village the equalized assessment thereby confirmed shall be the assessment therein for the purposes of The Social Services Tax Act.

The provisions for the making of the last equalized assessment are revised with a view to removing difficulties and ambiguities. The sections of the amended Act affected are sections 6, 7, and 8.

The Act contains a schedule of amendments, necessitated by the repeal of The Supplementary Revenue Act, to sections 12, 13, 14, 20 and 31 of The Improvement Districts Act, 1927; to sections 291, 292, 293, 295 and 343 of The Municipal District Act; to sections 9, 10, 11 and 44 of The School Assessment Act, 1931; and to section 26a of The School Grants Act.

The amendments made to section 10 of the Act are for the purpose of meeting

the situation which arises by reason of the appointment of the Board of Public Utility Commissioners as the board to discharge the duties of the Alberta Assessment Commission.

This Act comes into force on July 1st, 1936.

**LOCAL AUTHORITIES' BORROWINGS GUARANTEE ACT AMENDMENT ACT, 1936,** (Chapter 36) extends the provisions of The Local Authorities' Borrowings Guarantee Act for another year and adds to the cases in which a guarantee may be given sums which a municipal district is liable to pay to a municipal hospital board or to the board of any hospital for the hospitalization of its residents.

This Act came into force on March 25th, 1936.

**DOMESTIC ANIMALS ACT (MUNICIPALITIES) AMENDMENT ACT, 1936** (Chapter 37), deals with the fees payable to the poundkeeper for notices and other services in connection therewith and prescribes an inclusive fee of one dollar as to all animals impounded at one seizure.

This Act came into force on March 25th, 1936.

**MOTHERS ALLOWANCE ACT AMENDMENT ACT, 1936,** (Chapter 38) provides for the administration of the Act by any designated member of the Executive Council.

A new provision is made requiring a woman in receipt of a mother's allowance to reside within the boundaries of the municipality liable for the payment of a portion of the allowance.

The proportion of mothers' allowances payable by the municipality is reduced from 50% to 25%.

A married woman who by an order of a district court judge is declared to have been deserted, without reasonable cause, by her husband for a continuous period of five years or upwards immediately preceding the date of such order is included in the definition of widow for the purposes of the Act.

This Act comes into force on the first day of July, 1936.

**TAX CONSOLIDATION ACT, 1927, AMENDMENT ACT, 1936,** (Chapter 39) makes a number of amendments of a routine nature and places the administration of the Act under the Department of Municipal Affairs instead of under The Debt Adjustment Act.

This Act came into force on April 3rd, 1936.

**FEED GRAIN AND FODDER ADVANCES ACT, 1934, AMENDMENT ACT, 1936,** (Chapter 40) continues The Feed Grain and Fodder Advances Act, 1934, until the first day of June, 1936.

This Act came into force on April 3rd, 1936.

**TAX RECOVERY ACT, 1929, AMENDMENT ACT, 1936,** (Chapter 41) amends sections 3, 4, 19 and 30 of the amended Act.

The return as to the arrears of taxes made by a collecting school district is required to show the years in which the arrears were levied.

Upon the final acquisition of a parcel the municipality may dispose of the same by sale or lease either in one parcel or, subject to the provisions of The Public Works Act and of The Town Planning Act, 1929, in two or more parcels or lots.

Section 20 is amended by providing for the revival of title in case a parcel which has been finally acquired by the municipality is redeemed by the owner thereof or his personal representative or the son, daughter, widow or widower of the owner.

This Act came into force on March 25th, 1936.

**TIMBER AREAS TAX ACT AMENDMENT ACT, 1936,** (Chapter 42) provides for the administration of the Act by any designated member of the Executive Council, and makes arrears of taxes imposed by the Act collectable by distress.

This Act came into force on March 25th, 1936.

**TAXATION OF INTERESTS IN CROWN LANDS RELIEF ACT AMENDMENT ACT, 1936,** (Chapter 43) continues the provisions of The Taxation of Interests in Crown Lands Relief Act in force for the current year.

This Act came into force on March 25th, 1936.

**ELECTRIC POWER TAXATION ACT AMENDMENT ACT, 1936,** (Chapter 44) makes taxes levied under The Electric Power Taxation Act recoverable by suit and makes such tax a charge upon the works of the corporation or person liable therefor.

This Act came into force on March 25th, 1936.

**IRRIGATION DISTRICTS ACT AMENDMENT ACT, 1936,** (Chapter 45) provides for the submission by the board to a vote of the electors of any question relating to the business and welfare of the district for the purpose of obtaining an expression of opinion.

Amendments of a minor character are made to the following sections of The Irrigation Districts Act, namely; 28a, 30, 32 and 58.

Provision is also made for holding the annual election for a trustee on the same date as the annual meeting in cases where one annual meeting only of the water users is held by the board.

This Act came into force on April 3rd, 1936.

**DRAINAGE DISTRICTS ACT AMENDMENT ACT, 1936,** (Chapter 46) provides for the submission by the board to a vote of the electors of any question relating to the business and welfare of the district for the purpose of obtaining an expression of opinion.

Amendments of a minor character are made to the following sections of The Drainage Districts Act, namely; 28a, 29, 31 and 66.

Provision is made for holding the annual election for a trustee on the same date as the annual meeting in cases where one annual meeting only of the voters is held.

This Act came into force on April 3rd, 1936.

**IRRIGATION RATES AND DRAINAGE RATES PENALTIES ACT, 1936,** (Chapter 47) permits the board of an irrigation district or a drainage district to provide by by-law for the cancellation of penalties added to the rates in arrears as at the first day of January, 1936, upon the payment in 1936 of a sum by way of penalty equal to five per centum of the amount of the rates in arrear and requires that the by-law shall provide for a discount on rates levied in 1936 of five per centum if paid on or before the first day of November, 1936, or two and one-half per centum if paid on or before the fifteenth day of December, 1936.

The Irrigation Rates and Drainage Rates Penalties Act, 1935, is made applicable to all drainage and irrigation rates.

The Act validates an agreement for the consolidation of arrears of drainage rates made between Daysland Drainage District No. 4 and the Municipal District of Melrose No. 426.

This Act came into force on April 3rd, 1936, and relates back to the 23rd of April, 1935.

**WATER RESOURCES ACT AMENDMENT ACT, 1936,** (Chapter 48) amends section 12 by providing an alternative method of procedure in connection with the advertising of applications for the acquisition of water rights by means of newspaper advertisement.

A minor amendment is made to section 13.

Provision is made for the taking over by the Government of irrigation works in case the operator thereof becomes insolvent or fails to carry out contracts for the supply of water for irrigation purposes, and provides that in certain events the rights of the licensee shall be determined and his works shall be forfeited to the Crown..

A new provision is made whereby the water charges in respect of any parcel of land are made a first charge upon all grain crops, hay crops and root crops grown thereon and upon the proceeds of sale thereof until the proceeds have been paid in full.

This Act came into force on April 3rd, 1936.

**LETHBRIDGE NORTHERN COLONIZATION ACT AMENDMENT ACT, 1936,** (Chapter 49) authorizes the Manager, for the purpose of securing the repayment of any money borrowed by him pursuant to section 20, to assign to the lender by way of security moneys receivable in respect of moneys expended for or lent to any person by the Manager under the authority of the Act together with the benefit of any securities which the Manager has for enforcing the payment thereof.

This Act came into force on April 7th, 1936.

**TUBERCULOSIS ACT** (Chapter 50) empowers the Minister of Health to take measures for the prevention of tuberculosis and the treatment of tuberculosis patients and for that purpose to operate the Central Alberta Sanatorium, and, with the approval of the Lieutenant Governor in Council, to acquire land, buildings and equipment as suitable for use for the hospitalization of tuberculosis patients, and to enter into agreements with boards of hospitals for the setting apart of any portion of hospitals for the reception, care and treatment of tuberculosis patients.

By section 4 persons who have been residents of the Province for twelve consecutive months out of the twenty-four months immediately preceding admission into any sanatorium operated by the Minister shall not be required to pay any fee for hospitalization or treatment therein; other persons are liable to pay such amounts for hospitalization and treatment as may be prescribed by order in council.

Persons admitted to a hospital as tuberculosis patients under the provisions of The Hospitals Act are to continue to be subject to the provisions of that Act until such time as provision is made under the present Act

for the transfer of such persons to a sanatorium under the provisions thereof.

This Act comes into force upon Proclamation.

**HOSPITALS ACT AMENDMENT ACT, 1936,** (Chapter 51) makes new provision for the liability of a local authority for the hospitalization of its indigent sick residents; it makes the local authority liable to pay to a hospital charges for the hospitalization of an indigent sick resident if the case appears to the Superintendent or Medical Officer to be one of sudden and urgent necessity and if he notifies the local authority by registered mail of the admission; and in case of a dispute as to whether or not the patient is an indigent sick resident or that the case is one of sudden and urgent necessity, the dispute is to be referred to a judge of the District Court for determination.

The case of an expectant mother applying for admission to a hospital and certified by the attending physician as requiring hospitalization is declared to be a case of sudden and urgent necessity.

Sections 7b and 17 and a part of the schedule are struck out.

This Act came into force on April 3rd, 1936.

**MUNICIPAL HOSPITAL DISTRICTS OF CARDSTON AND MYRNAM CONFIRMATION ACT** (Chapter 52) ratifies the establishment of the hospital districts named therein.

This Act came into force on April 3rd, 1936.

**PUBLIC HEALTH ACT AMENDMENT ACT, 1936,** (Chapter 53) prohibits any person using for the therapeutic treatment of human beings any radium or radon or any derivative of radium unless he is the holder of a certificate of competency issued by the Senate of the University of Alberta.

This Act came into force on April 7th, 1936.

**FORT SASKATCHEWAN HOSPITAL FUND ACT** (Chapter 54) deals with a fund of \$5,304.65 collected some twenty-five years ago for the purpose of providing a hospital for the people of Fort Saskatchewan.

It being no longer practicable or convenient to use the fund for the purpose for which it was originally raised, the same was transferred to the council of the town of Fort Saskatchewan upon trust to use the same for the payment of the hospitalization accounts of indigents who are residents of the town of Fort Saskatchewan and its vicinity.

This Act came into force on March 25th, 1936.

**MENTAL DISEASES ACT AMENDMENT ACT** (Chapter 55) makes express provision for the admission to a mental hospital of drug addicts.

This Act came into force on March 25th, 1936.

**MUNICIPAL HOSPITALS ACT, 1929, AMENDMENT ACT, 1936**, (Chapter 56) amends section 11 of the Act by empowering a corporation which is a ratepayer to nominate one person who is an officer or employee and resident of the district as a ratepayer of the district.

It also empowers the board to fix by resolution the amount of the normal hospital tax for one ratepayer and to provide that where the amount so fixed is an aliquot part of the annual hospital taxes payable by any ratepayer, the ratepayer may in respect of each such aliquot part after the first, if the ratepayer is a natural person, and in respect of every such aliquot part, if the ratepayer is a corporation, nominate as a ratepayer of the district one person who is an employee or tenant of the ratepayer and resident in the district.

New provision is made for the inclusion in a proposed hospital district of municipal areas included in an established hospital district.

Section 31 is amended and restates the qualifications for election to membership of a hospital board.

New provision is made for the disestablishment of a hospital district by the Minister upon it being made to appear that it is the desire of the ratepayers that the district should be disestablished, and for the winding up and adjusting of the affairs of any hospital district which is so disestablished.

New provision is made as to the tax payable in case a minimum tax is fixed by the scheme in cases where the taxes payable in respect of a ratepayer's property are either less or more than the minimum tax.

It also provides that a non-resident may request the secretary-treasurer to assess him for the minimum tax in respect of any property he has in any hospital district and upon being so assessed becomes entitled to hospital facilities as if he were a resident ratepayer.

Section 67 is amended.

This Act came into force on March 25th, 1936.

**SOLEMNIZATION OF MARRIAGE ACT AMENDMENT ACT, 1936,** (Chapter 57) revises section 22 of the Act by permitting a Judge to make an order dispensing with consent for the marriage of a minor in any case where the consent cannot be obtained.

A fresh provision is made providing for the confirmation by a Judge of the Supreme Court of the marriage in any case in which any question arises as to the regularity of the ceremony by reason of any inadvertent contravention of or non-compliance with any provisions of the Act on the part of the person celebrating the ceremony.

This Act came into force on March 25th, 1936.

**CHIROPRACTIC ACT AMENDMENT ACT, 1936,** (Chapter 58) makes new provisions for the constitution of an Advisory Board of Examiners, which is to consist of five members appointed by the Minister, of whom four are to be registered chiropractors resident in the Province and graduates of a school of chiropractic which requires for its course of instruction not less than eighteen months resident study within a period not exceeding three years, and the other member is to be a layman who will act as chairman of the Board. It is further provided that if the Minister is unable to constitute the Board in accordance with the foregoing, he may complete the Board by appointing any registered chiropractor or chiropractors in the Province.

This Act came into force on April 3rd, 1936.

**BRAND ACT AMENDMENT ACT, 1936,** (Chapter 59) strikes out the proviso at the end of subsection (2) of section 3 of the Act.

It further provides that in any prosecution for any offence set out in paragraphs (a) and (b) of section 17 the fact that stock is found in the possession of the accused which is branded with any brand, mark or vent shall be *prima facie* evidence that such brand, mark or vent was placed upon the stock by the accused.

A new tariff of fees for brands is provided which is as follows:

#### TARIFF OF FEES

##### FEES PAYABLE IN RESPECT OF POULTRY BRANDS

|                                               |        |
|-----------------------------------------------|--------|
| On application for allotment of a brand ..... | \$1.00 |
| On application for renewal of a brand .....   | .50    |

|                                                         |        |
|---------------------------------------------------------|--------|
| On application for reallotment of a brand .....         | \$1.00 |
| On application for change in the record of a brand..... | 1.00   |
| On every transfer of a recorded brand                   | 1.00   |
| For every search of a brand record.....                 | .25    |
| For every certified extract from the brand record ..... | 1.00   |

**FEES PAYABLE IN RESPECT OF  
ALL OTHER BRANDS**

|                                                         |      |
|---------------------------------------------------------|------|
| On application for allotment of a brand                 | 2.00 |
| On application for renewal of a brand..                 | 1.00 |
| On application for reallotment of a brand .....         | 2.00 |
| On application for change in the record of a brand..... | 2.00 |
| On every transfer of a recorded brand                   | 2.00 |
| For every search of a brand record.....                 | .25  |
| For every certified extract from the brand record ..... | 1.00 |

This Act came into force on March 25th 1936.

**AGRICULTURAL SOCIETIES ACT AMENDMENT ACT, 1936**, (Chapter 60) makes new provision as to the disposition of the property of an agricultural society which has been wound up and which is not required for the purpose of paying its indebtedness. Any such surplus may be disposed of by way of a gift to any association or body engaged in community service in the locality in which the society operated if such disposition is authorized by resolution passed at a meeting of the members of the disorganized society.

This Act came into force on March 25th, 1936.

**ALBERTA LIVE STOCK AND LIVE STOCK PRODUCTS ACT** (Chapter 61) empowers the Lieutenant Governor in Council to make regulations providing for,—

- (a) the inspection, grading, packing and marking of live stock and live stock products;
- (b) the manner in and conditions under which live stock and live stock products may be transported, delivered, shipped, advertised, purchased, sold or offered or displayed for sale and the size, kind, branding, marking and labelling of packages;
- (c) dealing with untrue, deceptive or misleading advertising;

- (d) the identification of ungraded live stock and live stock products for purposes of grading individual producers' lots;
- (e) the returns to be made by purchasers of live stock and live stock products to the seller or shipper;
- (f) the prohibition of the buying or selling of eggs which are unfit for human consumption; and
- (g) the conditions under which live poultry may be produced and sold in the Province.

All such orders or regulations are to be published in *The Alberta Gazette*.

Provision is made for the appointment of inspectors who may be officers of the Department of Agriculture of the Dominion.

The violation of any provisions of the Act or regulations is declared to be an offence punishable by fine of not more than \$500 or to imprisonment for a term not exceeding three months.

Any person who assaults, obstructs or interferes with any officer in the performance of his duty under the Act is liable to a fine of not more than \$50 or to imprisonment for not more than one month, or to both fine and imprisonment.

This Act came into force on April 7th, 1936.

**DOMINION AGRICULTURAL CREDIT COMPANY, LIMITED, GUARANTEE ACT** (Chapter 62) validates an order in council which is set out in the schedule of the Act providing for guarantees by the Government in respect of loans made by the Dominion Agricultural Credit Company, Limited, to farmers who were members of a Feeders' Association to enable them to purchase feeder cattle during the year 1935, to the extent of 25% of any loss in respect of such loans.

This Act came into force on March 25th, 1936.

**DOMESTIC ANIMALS (UNORGANIZED TERRITORY) ACT AMENDMENT ACT, 1936**, (Chapter 63) provides a new definition for the expression "animal running at large" which is as follows: "animal running at large" shall mean,—

- (a) an animal which is off the premises of its owner and is not under the immediate, continuous and effective control of some person; or

- (b) an animal which is not securely tethered or confined within any building or other enclosure or fence, whether the same be lawful or not; or
- (c) an animal, whether in charge of a herder or not, which is for the time being grazing upon any unfenced land in any unorganized district without the consent of the person entitled to the immediate possession of the land.

This Act came into force on March 25th, 1936.

**GAME ACT, 1932, AMENDMENT ACT, 1936,** (Chapter 64) makes new provision for the licensing of travelling fur dealers by permitting the issue of a license authorizing the licensee to carry on the business of a travelling fur dealer anywhere in the Province.

This Act came into force on April 3rd, 1936.

**SEED GRAIN AND OTHER ADVANCES SECURITY ACT, 1936,** (Chapter 65) applies to advances made in the year 1936,—

- (a) by a mortgagee to the registered owner of the mortgaged land or a purchaser thereof under an agreement of sale in possession thereof;
- (b) by the registered owner of land to a person who has entered into a contract for the purchase of the land; and
- (c) by the registered owner of land to a lessee of the land under a lease entitling the lessee in certain events to become the purchaser of the land,—

for the purpose of enabling the recipient to acquire any or all of the following, namely, seed grain, feed grain, fodder, fuel oil and lubricating oil for use in connection with the farming operations carried on by the recipient upon land comprised in the mortgage, contract or lease, as the case may be, or for the purpose of paying off any advance previously made by the municipality or by the Province in the year 1936.

Upon the making of any such advance the amount of the advance is added to and forms part of the sum payable by the recipient under the mortgage or the agreement for sale or the lease, as the case may be.

The securities provided by the Act in respect of advances made pursuant thereto

are good and valid without any registration in any Land Titles Office.

Advances become due and payable, in case the land which is subject to the mortgage, agreement or lease lies to the south of the northern boundary of Township 35, on the first day of September, 1936, and in other cases on the first day of November, 1936, or in either case upon the first day upon which the owner commences in that year to cut his crop.

By way of additional security the advances are made a charge upon all crops grown upon the land subject to the mortgage, agreement or lease, as the case may be, in each of the years 1936 and 1937, and such charge has priority over all other charges and rights except the right of distress of a municipality for taxes imposed in the year 1936 and the year 1937, and threshers' liens, and such charge may be enforced by seizure and sale without reference to any provisions of The Debt Adjustment Act.

Any person obtaining an advance under this Act who uses it otherwise than for the purpose of farming operations carried on by the recipient upon the land in respect of which the advance is made is liable to a penalty of not more than \$500 and to imprisonment for not more than three months either in addition to or in lieu of the said penalty.

The provisions of The Dower Act are made inapplicable to advances to which this Act applies.

This Act came into force on April 7th, 1936.

**DEPARTMENT OF TRADE AND INDUSTRY ACT AMENDMENT ACT, 1936,** (Chapter 66) amends section 5 of the Act by providing for the fixing of minimum and maximum prices for a commodity by a code.

Section 6 is amended by striking out the words "by sixty-six per centum of the persons engaged in the trade to which it relates or by the persons owning sixty-six per centum of the aggregate capital invested in the trade" and by substituting therefor the words "by a majority of the persons engaged in the trade to which it relates or by the persons owning over fifty per centum of the aggregate capital invested in the trade."

Section 13 is amended by striking out so much thereof as relates to the licensing of trades and businesses.

Section 15 is amended by making the same applicable to producers and manufacturers as well as to wholesale dealers and empowering the Lieutenant Governor in Council by Proclamation to declare that any trade other than a trade mentioned in subsection (1) shall be within and subject to the provisions of the Act.

Section 17 is amended by striking out paragraphs (a) and (e) of subsection (1).

This Act came into force on April 7th, 1936, and relates back to the eighteenth day of October, 1934.

**LICENSING OF TRADES AND BUSINESSES ACT** (Chapter 67) applies to all trades, businesses and occupations (hereinafter called "trades") except trades licensed pursuant to The Fuel Oil Tax Act, The Government Liquor Control Act of Alberta, The Theatres Act, The Billiard Room Act or any other Act of the Province. The Act does not apply to any professions or callings to which any of the following Acts apply, namely, The Alberta Architects Act, The Alberta Chartered Accountants Act, The Alberta Land Surveyors Act, the Alberta Pharmaceutical Association Act, The Chiropractic Act, The Chiropody Act, The Dental Association Act, The Engineering Profession Act, The Legal Profession Act, The Medical Profession Act, The Optometry Act, The Registered Nurses Act, The Teaching Profession Act and The Veterinary Act, nor does it apply to the members of The Association of Accountants and Auditors in Ontario, the members of The International Accountants and Executives Corporation of Canada, nor to any business subject to the control of the Board of Public Utility Commissioners.

The Lieutenant Governor in Council is empowered to designate any trade or description or class of trade as a trade or description or class thereof to which the Act applies, and to provide for the registration and/or licensing of all persons engaged in any trade so designated and to prohibit any person required to be registered or licensed to carry on such trade unless he is so registered or licensed; to prescribe as to the duration and form of any license and the mode of its issuance and renewal, and to prescribe the fees and differentiate between the fees payable in respect of different trade or different classes of the same trade, but in respect of retail trade the fee shall not exceed \$3.00.

Any person who is required to be registered or licensed in respect of a trade or any description or class thereof who carries on such trade or description or class thereof without being registered or licensed

is declared to be guilty of an offence and liable, if a body corporate, to a fine of not more than \$500 and costs and, in any other case, to a fine of not more than \$250 and costs and in default of payment to imprisonment for a term of not more than three months.

The Minister, upon being satisfied that the holder of a license is habitually contravening any of the provisions of any code or regulation made pursuant to The Department of Trade and Industry Act or The Factories Act, 1926, or The Minimum Wage Act, 1925, or The Male Minimum Wage Act or The Industrial Standards Act, is empowered to suspend or cancel such license.

Provision is made for the repeal of The Restaurant Act.

This Act comes into force upon Proclamation.

**FUEL OIL LICENSING ACT** (Chapter 68) provides for the administration of the Act by the Board of Public Utility Commissioners.

Every person carrying on the business of a jobber in, or wholesale dealer in, or wholesale distributor or refiner of fuel oil within the Province is required to be licensed under the Act.

Every person who engages in the business of a retail dealer in fuel oil within the Province is required to be licensed under the Act in respect of each separate filling station, service station, garage, building, store or place of business within the Province at which fuel oil is kept for sale by retail or is sold by retail by such person, and in the case of a person who sells fuel oil from any vehicle, then in respect of each separate vehicle from which fuel oil is so sold.

All licenses expire on the thirty-first day of March of the calendar year following the year in which they are issued or at such other time as the regulations may provide.

No license is to be issued unless, in the judgment of the Board, public convenience and necessity require it.

No licenses are transferable except by leave of the Board, and the Board may at any time suspend or for cause revoke or cancel any license.

Provision is made for the issuance of license plates which must be displayed on the business premises of the licensee.

It is declared to be an offence for a licensed retail dealer to sell any fuel oil at any place or from any vehicle unless his license plate is affixed thereon.

The Board is empowered to refuse a license to any person for any cause which the Board deems sufficient and in particular to refuse a license to any person who has been convicted of an offence under the Act or The Fuel Oil Tax Act, 1936, or The Fuel Oil Tax Act, and to any person who refuses to undertake any duty in relation to the collection of the tax payable pursuant to The Fuel Oil Tax Act, 1936, or to comply with any of the provisions of that Act, and to any partnership or body corporate in case any person whose license has been cancelled or to whom a license has been refused is a member of the partnership or a director or manager of the body corporate, as the case may be.

The Board is given powers of inquiring into the production, manufacture, supply, distribution or sale of fuel oil, lubricating oil and grease, and is empowered to prescribe the maximum price and/or the minimum price at which any fuel oil or lubricating oil or grease or any of them may be sold by wholesale, retail or otherwise; and any person who contravenes any such order of the Board is declared to be guilty of an offence and liable to a penalty of not more than \$1,000 and costs per day.

Section 27 provides a penalty of not more than \$500 for the failure or refusal to perform any duty for which a penalty has not been provided or for the failure, neglect or refusal to obey any lawful requirement or order made by the Board.

Section 28 makes it an offence for any person to deal in fuel oil as a jobber, wholesaler or retailer without a license and prescribes, in the case of a corporation, a fine of not less than \$1,000 and not more than \$2,000 and costs and in the case of a continuing offence a further fine of \$100 per day for each day after the first day during which the offence continues and, in the case of all other persons, a fine of not more than \$1,000 and costs, and in default of payment to imprisonment for a term of not more than six months.

Section 29 makes it an offence for any person to knowingly acquire or take delivery of fuel oil within the Province for resale within the Province from any person who is not licensed under the Act, and prescribes a penalty of not more than \$500 and costs and in default of payment, to imprisonment for not more than three months.

Section 31 requires every person who disposes of fuel oil by weight to keep posted conspicuously over his weight scales in his warehouse a copy of the consolidated filling

weight table prescribed by the Board and approved by order in council as well as the invoice covering the last tank car received by him; and for the contravention of this provision a penalty of \$5.00 a day is provided.

Section 32 empowers the Board to require any producer or refiner of, or dealer in, fuel oil to install at his own expense automatic metres.

Section 33 empowers the Lieutenant Governor in Council to authorize any Minister to engage on behalf of the Province in the business of the wholesale and retail distribution of fuel oil, lubricating oils and greases.

Section 34 provides a penalty of not more than \$500 and costs and, in default of payment, imprisonment for a term of not more than three months, for any contravention by a licensee of any of the provisions of the Act or regulations in respect of which no penalty is expressly provided.

The Lieutenant Governor in Council is empowered to make regulations about a number of matters necessary and incidental to the administration of the Act and in particular, prescribing the maximum number of filling stations and/or service stations and/or garages and/or buildings and/or places of business at which fuel oil may be kept for sale or sold by retail or by wholesale by any licensee during any specified period and/or in any specified area; also prescribing standard specifications for any fuel oil or any specified class or classes thereof and as to the information to be furnished to any purchaser on the sale of any fuel oil in respect of which a standard specification is prescribed.

This Act comes into force upon Proclamation.

**TRADESMEN'S QUALIFICATION ACT**  
(Chapter 69) empowers the Lieutenant Governor in Council to designate as a trade to which the Act applies any of the following, namely, the trade of a mechanic engaged in all or any of the following activities, namely, the construction, building and repair of automobile engines, steam engines, boilers, internal combustion engines, radios, refrigerators and refrigerating machines, the trade of a plumber, the trade of a steam fitter, the trade of a gas fitter, the trade of an electrician, the trade of an electric welder and the trade of an

acetylene gas welder, the trade of a barber, and any other trade in case sixty-six per centum of the persons engaged therein have petitioned the Lieutenant Governor in Council to designate the same as a trade to which the Act applies; and the Lieutenant Governor in Council may prohibit any person from engaging in or following any such trade who is not for the time being the holder of a certificate of proficiency.

The Lieutenant Governor in Council is empowered to make provision for examining persons as to their proficiency and to issue certificates in proper cases.

In case provision is made for the certification of persons engaged in any trade, any person who engages in such trade without being the holder of a certificate of proficiency is guilty of an offence and liable on summary conviction to a penalty of not more than \$5.00 and costs and in the case of a second or subsequent offence, to a penalty of not more than \$5.00 and costs, and in default of payment to imprisonment for a term of not more than seven days.

The Act does not apply to the engagement of non-certificated persons in cases where it is not practicable to secure the services of a certificated person or in the case of emergency.

The Act does not apply to persons certificated or authorized under The Boilers Act, 1929, or The Coal-mines Regulation Act, or The Theatres Act.

The Act comes into force upon Proclamation.

**INDUSTRIAL STANDARDS ACT AMENDMENT ACT** (Chapter 70) repeals section 20 of the amended Act.

This Act came into force on March 25th, 1936.

**PROVINCIAL INDUSTRIES DEVELOPMENT ACT** (Chapter 71) provides for the guarantee by the Province of securities of companies incorporated under any Act of the Province having for their object the development of any natural resource of the Province or the processing of any product of the Province or the manufacture of any commodity in the manufacture whereof a substantial use is made of any natural product of the Province.

It is provided that in the case of any such company,—

- (a) the company shall have an authorized capital not in excess of \$100,000;

- (b) the available cash or liquidated assets of the company shall be not less than 60% of its issued capital;
- (c) the guaranteed securities shall not exceed 40% of the issued capital of the company;
- (d) upon the giving of the guarantee there are to be no outstanding preference shares;
- (e) at the time of the giving of the guarantee there are to be no outstanding bonds, debentures or debenture stock issued by the company other than the securities guaranteed pursuant to the Act;
- (f) at the time of the giving of the guarantee there are to be no outstanding mortgages upon the undertaking of the company other than mortgages guaranteed pursuant to the Act; and
- (g) the aggregate of all guarantees given pursuant to the Act shall not at any time for the time being exceed the sum of \$250,000.

Section 5 prescribes the restrictions imposed by the Act on the company whose securities are guaranteed pursuant to the Act.

Other provisions of the Act provide for the auditing of the books of any company the securities of which are guaranteed, or for other matters incidental thereto.

This Act came into force on April 7th, 1936.

**ALBERTA INSURANCE ACT, 1926, AMENDMENT ACT, 1936,** (Chapter 72) provides that it shall come into force on proclamation; it is anticipated that upon the adoption of similar legislation by all the provinces, a date will be arranged upon which the same may be brought into force simultaneously in each province.

By section 2 advertisements leading to trafficking in life insurance policies are prohibited, and reports furnished to the Superintendent of Insurance concerning applicants for licenses or licensed persons are declared to be privileged and to be not usable as evidence in any suit in any court brought by any such applicant or licensee.

Section 3 amends a number of definitions and adds a number of new definitions.

Section 4 revises an existing provision so as to make it conform to the other provisions of the Act.

Section 5 increases the amount of a policy to not more than \$2,000 under which it

may be provided that the insurance money may be made payable to certain relatives or to persons having an equitable claim hereto by reason of expense incurred for the maintenance, &c., of the insured; and requires that every policy shall provide as to the period of grace, the conditions of reinstatement in the event of lapse and cash surrender or loan value, and any options as to paid up or extended insurance, any right to participation in profits or otherwise, and in the case of disability insurance, the notice of disablement to be given to the insurer.

Section 7 provides a revision of sections 202, 203 and 204. The chief alteration in section 202 is the elimination of the word "conscious" in connection with a disclosure or misrepresentation by an applicant for insurance.

Section 9 makes express provision as to the rights of reinstatement of the insured where the policy has lapsed and the cash value has not been paid and any options for extended insurance have not been exercised.

Section 10 makes provision for policies of fraternal societies by which the insurance money is payable to "heirs", "legal heirs", "lawful heirs" and "next-of-kin".

Section 11 substitutes for section 215 a revised section which sets out with greater precision the capacity of a minor who is over the age of fifteen.

Section 12 includes adopted children, adopting parents and children of adopted children in the class of preferred beneficiaries.

Section 13 makes it necessary for a beneficiary for value or an assignee for value of a policy to protect his interest by giving notice to the insurer.

Section 14 relates to declarations in wills, and provides that the same are effective as at the date of making the will; but requires the filing with the insurer of such declaration in order to prevent the declaration being defeated by the claim of a beneficiary for value or assignee for value created subsequently to the will.

Section 15 makes express provision for the distribution of insurance money in the case of death of an ordinary beneficiary.

Section 19 declares that an adopted child and its adopting parents shall each be in the relationship of preferred beneficiaries to the other; and that an adopted child and its natural parent shall be in the relationship of an ordinary beneficiary to the other.

Section 22 revises section 229 which sets out the right of the insured under a participating contract to receive or deal with profits and the right of the insurer to apply profits in certain cases for the purpose of keeping the contract in force.

Section 23 adds to section 230 a provision enabling insurance money payable to a minor or a person under disability to be used for his benefit; and a further provision as to the rights of beneficiaries under a policy which has been assigned by way of security.

Section 26 provides a revision of section 233: the words "any subsequent agreement" are replaced by the words "an agreement": the words "contract of agreement" are replaced by the words "contract, agreement or declaration": the liability of the insurer for interest is restricted to the term the insurer retains the money; and provision is made for the rate of interest in case the contract does not specify the rate.

Section 28 adds a new provision relieving the insurer from liability in respect of the giving or withholding of information as to notices or instruments affecting the insurance money which the insurer has received.

Section 29 replaces subsection (2) of section 235 which is defective: the new provision entitles the insurer to require reasonably sufficient proof of the name and age of a beneficiary.

Section 30 replaces subsection (2) of section 236 with a new provision as to the place and manner of payment of insurance money having regard to the domicile of the deceased and of the beneficiaries, and the terms of the contract.

Section 31 relates to the payment of insurance money when the insured was not domiciled in Canada, and is not payable to a person in Canada.

Section 32 provides a revision of subsections (1), (2) and (3) of section 237. The chief changes are,—

- (a) the restriction of applications under subsection (1) to cases in which the validity of the contract is admitted;
- (b) the extension of the time for notice of application from ten to thirty days; and
- (c) the enlargement of the discretionary power of the judge as to proof.

Section 34 amends section 241 so as to provide for the case of a trustee who dies

or otherwise becomes incapable of acting.

Section 35 amends subsection (1) of section 242 by empowering the court to make an order for payment into court and by providing that the application may be made *ex parte*.

Section 37 repeals sections 306 to 317, both inclusive.

Section 38 makes a new provision for the issuance of a certificate of authority to railway and transportation companies to allow any such company to sell to passengers accident insurance and insurance against loss of baggage whilst carried by the company.

Section 39 provides for the appointment by the Superintendent of advisory boards to deal with the granting, refusal, renewal and cancellation of licenses.

Section 40 amends section 457 by including an express prohibition of any kind of rebating.

Section 41 adds a new section prohibiting life insurance agents from inducing a policyholder to lapse, forfeit or surrender a policy of life insurance with one insurer in order to effect a policy with another insurer and making a contravention of the section an offence.

Amendments of a minor nature are made to sections 201, 207, 222, 224, 225 and 226.

This Act comes into force upon Proclamation.

**COMPANIES ACT, 1929, AMENDMENT ACT, 1936,** (Chapter 73) amends section 35 by striking out subsection (2) thereof which provides that every share in a company having a share capital shall be distinguished by its appropriate number.

This Act came into force on April 3rd, 1936.

**SOCIETIES ACT, 1924, AMENDMENT ACT, 1936,** (Chapter 74) amends section 33 which provides for the disorganization of societies so as to make the same applicable to any society or club having for its objects the provision of facilities for the social intercourse and recreation of its members which is incorporated by any Private Act of the Province.

This Act came into force on April 7th, 1936.

**BREAD ACT AMENDMENT ACT, 1936,** (Chapter 75) provides for the suspension or cancellation of a license under The Bread

Act in case the Minister is satisfied that the holder thereof is habitually contravening the provisions of the Act or the provisions of any code or of any regulations made pursuant to The Department of Trade and Industry Act or The Factories Act, 1926, or The Minimum Wage Act, 1925, or The Male Minimum Wage Act.

This Act came into force on April 7th, 1936.

**MALE MINIMUM WAGE ACT** (Chapter 76) applies to all businesses, trades or occupations and persons engaged therein as employers and employees but does not apply to farmers, labourers or domestic servants.

Provision is made for the appointment of a minimum wage board consisting of three members.

The board is empowered to make all necessary inquiries, and, with the approval of the Lieutenant Governor in Council, to make orders fixing minimum wages at such rate as may be deemed advisable, and any such order may be of general application or restricted to any group or class of employees in any industry, and may differentiate between the minimum wages payable in different parts of the Province in respect of the same industry, or may fix a minimum wage applicable only in a designated part of the Province, and may fix the minimum wage upon an hourly, daily, weekly or monthly basis.

Special provision is made in the case of employees who are classified by the board as handicapped or as part-time employees or as apprentices.

The board is empowered to fix the maximum amount chargeable by an employer for board in the case of board wages.

The board is empowered to investigate and make orders with reference to partnerships and associations organized for the purpose of evading the provisions of the Act as to minimum wages.

Employers are required to keep a correct record in English of the wages paid to and hours worked each day by his employees together with a register of the names, nationalities, ages and addresses of all his employees.

Contraventions of the Act are made punishable by fine and in default of payment by imprisonment, and any employer is liable upon conviction to the suspension or cancellation of any license held by him

under The Licensing of Trades and Businesses Act.

This Act comes into force upon Proclamation.

**MINIMUM WAGE ACT, 1925, AMENDMENT ACT, 1936**, (Chapter 77) transfers the administration of the Act from the Minister of Public Works to any member of the Executive Council for the time being charged with the administration thereof.

This Act comes into force upon Proclamation.

**LABOUR DISPUTES ACT AMENDMENT ACT, 1936** (Chapter 78) transfers the administration of this Act to any member of the Executive Council for the time being charged with the administration thereof.

This Act came into force on March 25th, 1936.

**ENGINEERING PROFESSION ACT, 1930, AMENDMENT ACT, 1936**, (Chapter 79) makes a number of amendments to The Engineering Profession Act, 1930.

Persons who are not members or licentiates of the Association of Professional Engineers are not permitted to practise professional engineering or to use the designation of "professional engineers" or to hold themselves out or advertise as professional engineers; and other persons are prohibited from knowingly employing any person other than a professional engineer to do engineering work.

The Act does not apply to architects engaged in the practice of architecture or to provincial or dominion land surveyors except that no such person is to hold himself out as a professional engineer unless he is registered or licensed as such.

This Act does not apply to members of naval, military or air forces while employed in their respective duties.

The Act does not affect any provision or regulation of or made under any Act of the Province relating to mines or boilers.

The Act does not prevent the carrying on by any person on his own property of any work for the sole use of himself and his domestic establishment nor the designing, construction or installing by any person of appliances, works or plants of a value not exceeding \$8,000 where such work does not involve the safety of the general public.

The remaining provisions of the Act deal with the internal organization of the affairs of the Association of Professional Engineers.

This Act came into force on April 3rd, 1936.

**TRADE SCHOOLS REGULATION ACT AMENDMENT ACT, 1936,** (Chapter 80) empowers the Lieutenant Governor in Council to regulate the examinations held by any trade school upon which any certificates of competency are issued.

This Act came into force on April 3rd, 1936.

**WILD LANDS TAX ACT REPEAL ACT** (Chapter 81) repeals The Wild Lands Tax Act, as and from the first day of January, 1936.

This Act came into force on April 7th, 1936.

**LEGISLATIVE ASSEMBLY (RECALL) ACT** (Chapter 82) provides for the vacating of the seat of a member of the Legislature upon the delivery to the Clerk of the Executive Council of the report of the Chief Justice of Alberta or a designated judge that a petition has been signed and lodged in conformity to the Act.

Upon such a vacancy occurring the member whose seat is vacated is eligible for re-election.

Persons desiring to present a petition must make application to the Clerk of the Executive Council in a prescribed form signed by at least ten persons whose names appeared on the voters' list used or available for the last election of a member of the Legislature in the electoral division to which the petition relates: the application must set out the reason for recall and designate some person as the agent of the promoters, and a fee of \$200 is payable.

If a petition for recall has been previously lodged a further petition is not permitted in respect of the same electoral division until after the next ensuing general election.

The forms for the petition are issued by the Clerk of the Executive Council and marked by him for identification, and sufficient forms are issued to contain the signatures of 75% of the voters on the voters' list used or available at the last election for a member held in the electoral division.

A petition must comply with the following requirements:—

- (a) it must be signed upon forms supplied by the Clerk of the Executive Council;
- (b) it must be signed by persons who would be, at the time of signing, qualified to vote if an election was then being held of a member of the Legislature;
- (c) every signature must be attested by a witness of twenty-one years of age;
- (d) every such signature must be verified by a sworn declaration of the witness;
- (e) all signatures on the petition must be written in ink;
- (f) the petition must contain signatures of electors of the electoral division to which the petition relates to the number of more than  $66\frac{2}{3}\%$  of the number of voters on the voters' list compiled or available for the last election of a member of the Legislature held in the electoral division to which the petition relates;
- (g) the petition must be lodged with the Clerk of the Executive Council within forty days after the day upon which forms for the petition were first delivered to the agent of the promoters or to the post office or to a common carrier for transmission to the agent; and
- (h) copies of the petition are to be made by the promoters setting out all the names on the petition and such copies are to be posted up in a conspicuous place at or near every post office in the electoral division not later than the tenth day after the lodging of the petition with the Clerk and are to be kept so posted up until the fortieth day after the petition is so lodged.

Upon the petition being lodged with the Clerk he is required to advise the Chief Justice thereof who proceeds to fix a date not sooner than forty days after the lodgement of the petition for holding an inquiry as to the petition which inquiry is to be conducted either by the Chief Justice or such other judge of the Supreme Court as he may designate, and to give the Clerk directions as to the notice to be given of the date so fixed.

Upon the date so fixed or at any adjournment inquiry is made for the purpose of

ascertaining whether the petition conforms to the requirements of the Act, and the Chief Justice or other judge holding the inquiry either declares the petition to be good and the seat vacant or declares the same to be a nullity, as the case may require; and reports his finding to the Clerk of the Executive Council.

Sections 12, 13, 14, 15 and 17 deal with corrupt practices in connection with the signing of a petition and prescribe penalties for persons guilty of such practices.

Section 18 makes it an offence to wilfully alter or deface any mark placed by the Clerk upon any form of petition issued by him.

The schedule contains Form A (the form of application for a petition), Form B (the form of declaration by the attesting witness) and Form C (the form of the petition).

This Act came into force on April 3rd, 1936.

**IMPERIAL BANK OF CANADA GUARANTEE ACT** (Chapter 83) ratifies an order in council authorizing the guarantee by the Province of the repayment of certain loans made by the Imperial Bank of Canada not in excess of \$8,000 to certain farmers in the Municipal District of Morthern.

This Act came into force on March 25th, 1936.

**UNEMPLOYMENT RELIEF ACT, 1933, CONTINUATION ACT, 1936**, (Chapter 84) continues The Unemployment Relief Act, 1933, until the thirty-first day of March, 1937.

This Act came into force on March 25th, 1936.

**SCHOOL ACT, 1931, AMENDMENT ACT, 1936**, (Chapter 85) makes a number of minor amendments to sections 50, 51, 52, 53, 63, 111, 119, 125, 127, 154, 161, 162 and 163.

Section 202, which relates to the fees chargeable by a school board for the tuition of the children of non-residents, is revised so as to reduce the amounts of the fees so chargeable and to make special provision for the fees chargeable in respect of higher grade tuition, and prescribes a table of fees in respect of tuition to non-residents in Grades IX, X, XI, XII, First Year Commercial, Second Year Commercial, Third Year Commercial, First Year Technical, Second Year Technical and Third Year Technical courses.

Section 16 enacts a new Part providing for the establishment of school divisions consisting of a number of school districts.

Where it appears to be in the interests of Education, or if requested by the boards of the majority of school districts in a proposed division, the Minister is empowered to constitute a school division consisting of any number of rural public school districts not being districts wholly or partially included in a consolidated district, and divided into five or more subdivisions.

Provision is made for the appointment of a delegate from each included school district and for a meeting of the delegates so appointed on the day and at the time and place fixed by the order constituting the division for that purpose and, in subsequent years, on the first Tuesday in December.

At every such meeting the delegates for each subdivision are required to meet separately and proceed to the nomination of candidates for the office of divisional trustee for the subdivision.

In case more persons than one are nominated in any subdivision, provision is made for taking a poll in each school district in the subdivision.

The term of office of a member of a Divisional Board is two years except in the case of a first election, in which case three members hold office for two years and the remaining members hold office for one year.

Sections 243 to 247, both inclusive, prescribe as to the manner in which the Board shall hold meetings and the like.

Section 248 provides that upon the constitution of a division,—

- (a) the assets of each included school district vest in the board of the division subject to any encumbrances thereon, provided that if the assets of a district, exclusive of its school property, exceed its liabilities, the excess is to be retained by the Divisional Board to be expended in the provision of educational facilities and equipment not ordinarily furnished by the Divisional Board and which are provided in compliance with the resolution of the board of trustees of the district;
- (b) all the liabilities of each included district are to be payable by the Divisional Board out of the funds of the Board, provided that if the liabilities of a district exceed its assets, exclusive of its school property, the equalization grants payable in re-

spect of the district and all arrears of taxes owing to the district are to be used for the purpose of paying the amount of the deficiency or for the purpose of reimbursing the Divisional Board for payments made by the Board on account of such liabilities;

- (c) the board of trustees of each included school district cease to have the powers, duties and functions conferred by sections 119 and 120 and are given the following powers and duties, namely,—
- (i) to appoint a chairman and an honorary secretary-treasurer;
  - (ii) subject to any regulations of the Divisional Board, to have the care and management of the property of the school district;
  - (iii) to make representations to the Superintendent of the division as to the maintenance, repair and extension of the school and other buildings of the district and any furniture and equipment therein;
  - (iv) to raise money by voluntary subscription or by other voluntary means for the purpose of providing equipment approved by the Superintendent which is not ordinarily provided by the Divisional Board;
  - (v) to require the Divisional Board to furnish at the expense of the district apparatus or equipment for the school of the district which is not ordinarily provided by the Divisional Board for the schools in the division;
  - (vi) at the cost of the division to make arrangements for the supply and maintenance of drinking water and of fuel for the school of the district as may be prescribed by the Divisional Board and to cause the same to be duly carried out;
  - (vii) at the cost of the division to provide suitable toilet and sanitary accommodation in the school building, or in the alternative separate buildings for privies for boys and girls, which buildings shall be erect-

ed in the rear of the school house at least ten feet apart, with their entrances facing in opposite directions or otherwise effectually screened from each other;

- (viii) to co-operate with the teacher in the care, management and supervision of school property and subject to any regulations of the Divisional Board and the cost of the division to effect any emergency repairs thereto which may be necessary;
- (ix) to make such representations to the Superintendent and to the Divisional Board as to the betterment or extension of the educational facilities for residents of the district;
- (x) in case it desires so to do, to nomination by resolution one or more persons for employment by the Board as teacher in the school of the district;
- (xi) to meet at the call of any two trustees for the purpose of the consideration of any matter of educational concern to the district and to call annual and other meetings of the electors of the district whenever required so to do by law;
- (xii) to make provision for the holding of elections of trustees and the election of members of the Divisional Board in accordance with the provisions of this Act;
- (xiii) to perform such other duties as may be required by this or any other Act or the regulations of the Department.

Section 249 confers upon Divisional Boards the following powers and duties, namely,—

- (a) to exercise a general supervision and control over the schools of the division;
- (b) to provide offices and office equipment suitable to the needs of the division and to engage a secretary-treasurer and other necessary clerks and servants, with power to discharge them, and to prescribe their duties and fix their remuneration, and to provide for the expenses incidental to the

discharge of any of the duties of the Board;

- (c) to pay to each member of the Board the sum of not more than five dollars per day for each meeting, but not exceeding ten meetings in any one year, together with an allowance of not more than eight cents per mile for every mile necessarily travelled in coming to and returning from meetings of the Divisional Board;
- (d) to provide and appoint, for schools of districts comprised in the division, duly qualified teachers under a contract in writing in the form prescribed by this Act and to forward to the Department a true copy thereof;
- (e) to confer with and consult the Superintendent concerning the educational problems and needs of the division and to consider any recommendations which the Superintendent may make with regard thereto;
- (f) to provide, with the approval of the Superintendent, when deemed expedient, at what times pupils may be admitted to Grade I;
- (g) to make, where necessary, provision for the attendance of pupils at schools outside of the district in which their parents or lawful guardians reside, and for the payment to a parent or lawful guardian of a reasonable sum on account or in lieu of the cost of a pupil's conveyance;
- (h) to provide for the enforcement of The School Attendance Act and to appoint such attendance officers as the Board may consider necessary or the Minister may require;
- (i) to suspend or expel from the school any pupil who upon investigation by the Board is found to be guilty of open opposition to authority, habitual neglect of duty, the use of profane or improper language, or other conduct injurious to the moral tone or well-being of the school;
- (j) to prepare and adopt a salary schedule applicable to all classes of teachers employed in the schools of the division;
- (k) to pay every month the salaries of all teachers in its employ;
- (l) to insure and keep insured all school buildings and equipment;
- (m) to select and provide from the list authorized by the Minister all such

reference books for the use of the pupils and teachers, and all such globes, maps, charts, and other apparatus approved by the inspector as being required for the proper instruction of pupils;

- (n) to allow students enrolled in the normal schools to attend any classroom of any public or separate school in the district at any time while it is in session, for the purpose of observation and practice teaching;
- (o) to cause to be erected and maintained on the school grounds a flag-pole, with all requisite attachments for raising and lowering a flag, and to furnish a flag which shall be the British Union Jack, to be not less than four feet long and not less than two feet wide, and to cause the said flag to be displayed from such flag-pole upon all such days as may be prescribed by regulation, and when not so displayed to be hung upon the wall inside the school room;
- (p) to make regulations for the management of the school, subject to the provisions of this Act, and to communicate them in writing to the teacher;
- (q) to see that the school is conducted according to the provisions of this Act and the regulations made pursuant thereto;
- (r) to see that the law with reference to compulsory education is observed;
- (s) to settle all disputes arising in relation to the school between the parents or children and the teacher;
- (t) subject to the provisions of this Part, to have and exercise all of the powers and duties conferred or imposed by this Act on the board of trustees of a school district.

In case the Board of an included school district passes a resolution requesting the provision of religious instruction and transmits the same to the Divisional Board, that Board is required to appoint to that school a teacher nominated by the trustees of the district, and similar provision is made in the case of the provision of a primary course in French.

Section 250 confers upon a Divisional Board the following discretionary powers, namely,—

- (a) to determine what school any of the children of the division shall attend;
- (b) to employ such physicians, dentists and nurse and clinics as may be deemed requisite to care for the health of pupils and advise parents and the said Board with respect thereto; and to take such steps and make such expenditures as it may deem necessary to safeguard the health of pupils;
- (c) to exclude from attendance at a school any pupil who, in the judgment of the Superintendent, is so mentally deficient as to be incapable of responding to class instruction by a skilful teacher, or whose presence is detrimental to the education and welfare of other pupils in attendance at the school, subject, however, to the right of an appeal by the parent or lawful guardian of such pupil to the chief inspector, whose decision shall be final;
- (d) to pay the expenses of any members of the Divisional Board, or of any officials thereof, incurred in attending any convention of school trustees or any other educational convention or conference;
- (e) subject to section 159 of this Act, to suspend or dismiss summarily any teacher for gross misconduct, neglect of duty or for refusal or neglect to obey any lawful order of the Board, and to report every suspension or dismissal to the Department in writing with a full statement of the circumstances;
- (f) to employ specially qualified teachers to encourage and direct instruction in manual arts, household economics, physical training, music, art, or other branches of the public or high school course of study throughout the schools of the division;
- (g) to furnish the pupils with luncheon at the noon hour, either free of charge or at a price to be fixed by the Board;
- (h) to furnish the pupils with textbooks, pens, pencils and other supplies, either free of charge or at a price to be fixed by the Board;

The board of a division is empowered by agreement to include in a division any

town, village, consolidated or separate school district with the approval of the electors.

Sections 258 to 263, both inclusive, provide for the requisitions to be made by the Divisional Board to cover its expenditures upon every municipal district and improvement district which is wholly or partially included in any included school district.

Sections 264, 265 and 266 confer certain borrowing powers upon a Divisional Board.

Section 267 provides for the appointment of a Superintendent for the division whose duty it is to advise the Divisional Board as to educational matters and, subject to the direction of the board, to exercise general supervision over all schools and teachers under the jurisdiction of the board.

Section 268 provides for the payment of grants under The School Grants Act in respect of any school comprised in a division to the Divisional Board;

Section 269 empowers the Minister to make regulations as to procedure; also to make an appointment of a member of the board of a division or of a trustee of an included school district or of any officer which any such board is required to appoint in case default is made in the election or appointment of such member, trustee or officer.

Section 270 makes provision for the exclusion of any included Roman Catholic school district or Protestant school district upon the board of that district passing a resolution requesting the exclusion of such school from the division on account of dissatisfaction of the board with facilities for religious education, provided that such resolution is approved by resolutions of the boards of at least two other school districts included in the same division; and provision is made for the adjustment of the assets and liabilities of any school district so excluded.

Section 272 provides that nothing in that Part shall affect any right conferred by Part I of the Act upon any minority of electors in any district, whether Protestant or Roman Catholic, to establish a separate school therein.

The following new forms are added to the schedule, namely, Notice of Termination of Contract between Board and Teacher, Form of Nomination of Candidate

for Election as a Member of a Divisional Board, and Form of Consent of a Person Nominated as a Trustee of an Included District.

This Act came into force on April 3rd, 1936.

**SCHOOL ASSESSMENT ACT, 1931, AMENDMENT ACT, 1936,** (Chapter 86) provides for the hearing of assessment appeals by the Director of Assessments appointed pursuant to The Alberta Municipal Assessment Commission Act with a right of appeal to the Commission.

Section 50 is amended by striking out the words "any company failing to give a notice", where the same occur in subsection (5), and by substituting therefor the words "any company not giving the notice".

It is provided that judgments against or orders for the payment of money by a school district shall be enforceable by means of a writ of execution and not otherwise and then only with the consent of the Board of Public Utility Commissioners.

Sections amended are sections 6, 26, 27 and 50.

This Act came into force on April 7th, 1936.

**SCHOOL GRANTS ACT AMENDMENT ACT, 1936,** (Chapter 87) reduces the grants mentioned in section 4 by substituting 75c for 90c, \$1.80 for \$2.00, \$2.70 for \$3.00, and \$1.00 for \$1.10.

It reduces the grants mentioned in section 5 by substituting 75c for 90c, 65c for 70c, 45c for 50c, and \$1.80 for \$2.00.

It reduces the grants mentioned in section 6 by substituting \$1.00 for \$1.10, and \$1.00 for \$1.25.

It reduces the grants mentioned in section 7 by substituting \$2.70 for \$3.00, \$2.25 for \$2.50, \$1.00 for \$1.10, and \$3.60 for \$4.00.

The Act makes minor amendments to sections 17, 20, 24 and 26a.

This Act came into force on April 3rd, 1936, and relates back to January 1st, 1936.

**TEACHING PROFESSION ACT, 1935, AMENDMENT ACT, 1936,** (Chapter 88) makes membership in the Alberta Teach-

ers' Association a condition of the employment of a teacher in any institution of the Province supported by provincial or municipal taxation which maintains a department for giving instruction in courses of study prescribed for elementary, secondary or technical schools under the jurisdiction of the Department of Education.

Provision is made for associate memberships. In case one member of a teaching order of the Roman Catholic Church is and continues to be a member of the Association and pays his fees, all other teachers belonging to that order are members of the Association without fee.

Provision is made for the constitution of a Teaching Profession Appeal Board consisting of three persons of whom two are appointed by the Lieutenant Governor in Council and one is appointed by the Executive Council of the Association: and the Board so appointed is given disciplinary powers over members of the Association.

This Act came into force on April 3rd, 1936.

**CALGARY SCHOOL BOARD BORROWINGS ACT** (Chapter 89) validates and confirms the actions of the Board of Trustees of the Calgary S. D. No. 19 in dealing with certain money raised by the sale of debentures for the purpose of providing school accommodation at Knob Hill, which was diverted by the Board to other purposes set out in the Act.

This Act came into force on March 25th, 1936.

**VEHICLES AND HIGHWAY TRAFFIC ACT, 1924, AMENDMENT ACT, 1936**, (Chapter 90) provides for the expiration of drivers' licenses on the first day of April, 1936, and in every subsequent year on the thirty-first day of March following the date of issue.

It also provides that the period of registration for any motor vehicle which is made in the year 1937 on or before the thirty-first day of March, 1937, shall terminate on that date, and thereafter the period of registration shall be from the first day of April until the ensuing first day of March, both days inclusive.

The Minister is empowered to require an applicant for a driver's or chauffeur's license to submit himself to examination, and to refuse a license to a person who does not satisfy him by examination as to his fitness.

Provision is made for the suspension and cancellation of a driver's or chauffeur's license upon the conviction of a holder for an offence under the Act.

A new provision is inserted in the Act requiring the operator of a vehicle transporting gasoline otherwise than in the tank or container of a motor vehicle to bring his vehicle to a stop at a level railway crossing.

This Act came into force on April 3rd, 1936.

**PUBLIC SERVICE VEHICLES ACT** (Chapter 91) replaces The Public Vehicles Act, 1927, and provides a comprehensive code for the regulation, licensing and operation of public service and commercial vehicles.

The operation of unlicensed public service and commercial vehicles is prohibited; provision is made for the appointment of a Highway Traffic Board which is vested with powers of regulation of the operations of such vehicles and the power of issuing certificates in respect of public service vehicles authorizing the operation of the same over specified routes and the Board is empowered to limit the operation to any such route and prohibit the operation of any other public service vehicle over that route.

Section 42 empowers the Lieutenant Governor in Council to prescribe the fees payable for any certificate or permit for a public service or commercial vehicle; and section 43 provides that the fees may be based upon a percentage of gross receipts or the carrying capacity of the vehicle in passenger and freight and mileage or the carrying capacity or mileage of any freight vehicle or upon any other basis.

The Bill contains a number of provisions relating to the operation of public service and commercial vehicles generally similar to those contained in The Public Vehicles Act, 1927, which is repealed by this Bill.

This Act comes into force upon Proclamation.

**TOWN AND VILLAGE ACT AMENDMENT ACT, 1936**, (Chapter 92) amends section 49 by substituting "term of office" for "year of office".

Section 89 is amended to provide that the records of towns and villages shall be kept either in English or French and in the latter case the secretary is required to furnish a copy thereof in English.

With the approval of the Board of Public Utility Commissioners, the council is authorized to guarantee moneys lent for the purpose of the erection of a community hall.

Section 128 is amended by substituting the words "any statute which provides for the recovery of taxes" for the words "The Tax Recovery Act, 1929".

Subsection (10) of section 148 is revised.

Sections 184 and 185 are amended by striking out some inappropriate words.

Subsection (3) of section 188, which relates to the supplementary alphabetical voters' list, is revised in detail.

Section 275 is amended by adding to the exemptions from assessment and taxation land not in excess of two acres held by or for the exclusive use of any local unit or branch of the Canadian Legion of the British Empire Service League, the Army and Navy Veterans Association, or any other organization of returned soldiers from time to time approved by the Minister and any building thereon occupied by such unit or branch.

Section 277 is amended to provide for appeals to the Director in connection with business tax assessments and empowering the council to amend a business tax by-law for the purpose of relieving against discrimination, injustice or hardship.

Section 349 is amended and provides for the imposition, with the approval of the Minister of Education, of a minimum tax for school purposes of \$4.00 to be paid by any person assessed and every resident of the town of the full age of twenty-one years who has resided therein and has been gainfully employed for a period of one month or over and is not otherwise assessed.

Subsection (1) of section 359 is amended and provides for the application of moneys paid on account of taxes.

This Act came into force on April 7th, 1936.

**MUNICIPAL DISTRICT ACT AMENDMENT ACT, 1936,** (Chapter 93) amends section 32 by providing that in the case of a first election, where the election has not been by electoral divisions, if there is no poll, the candidates first nominated shall hold office for a term consisting of the period between the date of election and the thirteenth day of March next following the same, and for three years more; the two candidates next nominated, for a term of the aforesaid period and two years more; and the two

candidates last nominated, for a term of the aforesaid period and one year more: in the event of a poll, the two candidates who are first and second on the poll, for a term consisting of the aforesaid period and three years more; the two candidates who are third and fourth on the poll, for a term consisting of the aforesaid period and two years more; and the two candidates who are fifth and sixth on the poll, for a term consisting of the aforesaid period and one year more.

Subsection (2) of section 33 is amended so as to provide that the candidates whose names appear upon the two slips first drawn shall hold office for a term consisting of the aforesaid period and three years more; the candidates whose names appear upon the next two slips drawn shall hold office for a term consisting of the aforesaid period and two years more; and the candidates whose names appear upon the remaining slips so drawn, for a term consisting of the aforesaid period and one year more.

Section 35 is amended to conform to the last mentioned amendments.

Section 93 is amended to enable the council to pass a by-law for the acquisition or lease of Crown lands for community grazing.

Section 150 is amended to give a municipal district a charge upon the lands of a body which holds lands for the common use of the members of the body in respect of assistance furnished to a member of that body.

Section 157 is amended by substituting the words "a majority" for the words "two-thirds".

Section 286 is amended by providing that in the case of parcels of land of not less than five acres used for agricultural purposes by an owner who derives his livelihood mainly from the use of such land, the same shall be assessed at its fair actual value exclusive of the buildings and improvements thereon.

Section 287 is amended by substituting the date "1937" for the date "1929", and by providing for the entry upon the roll of the name and address of the owners who have entered into consolidation agreements with respect to parcels which have been finally acquired by the district.

Minor amendments are made to sections 12, 26, 202, 286b, 301, 336, 343 and 347.

This Act came into force on April 7th, 1936.

**IMPROVEMENT DISTRICTS ACT, 1927, AMENDMENT ACT, 1936,** (Chapter 94) amends section 8 by making new provision for the assessment of land within a hamlet and land used for agricultural purposes by an owner who derives his livelihood mainly from the use there of and by adding to the exemptions from taxation property of the Crown.

Minor amendments are made to sections 8a, 22, 28, 28a, 35a, 38, 53, 54 and 56.

This Act came into force on March 25th, 1936.

**SPECIAL MUNICIPAL AREAS ACT AMENDMENT ACT, 1936,** (Chapter 95) amends section 3 thereof by making its provisions applicable to any arrears of taxes which had accrued previously to the inclusion of the lands in an area.

This Act came into force on March 25th, 1936.

**LOCAL TAX ARREARS CONSOLIDATION ACT, 1933, AMENDMENT ACT, 1936,** (Chapter 96) amends section 6 by making new provision as to the reports to be made by a collecting authority as to taxes levied in respect of land subject to a consolidation agreement.

New provision is made whereby the municipality may, with the approval of the Minister, extend a consolidation agreement for one year and waive the payment of one instalment payable thereunder and the current taxes in cases of crop failure or other circumstances; and provides for the payment of the postponed instalment and taxes.

Section 14 of the Act is amended by substituting "the thirtieth day of June" for "the thirty-first day of March".

This Act came into force on March 25th, 1936.

**LOCAL TAX ARREARS CONSOLIDATION ACT, 1934, AMENDMENT ACT, 1936,** (Chapter 97) amends section 12 by making new provision as to reports to be made by a collecting authority as to taxes levied in respect of land subject to a consolidation agreement.

New provision is made whereby the municipality may, with the approval of the

Minister, extend a consolidation agreement for one year and waive the payment of one instalment payable thereunder and the current taxes in cases of crop failure or other circumstances; and provides for the payment of the postponed instalment and taxes.

Section 20 of the Act is amended by substituting "the thirtieth day of June" for "the thirty-first day of March".

This Act came into force on March 25th, 1936.

**LOCAL TAX ARREARS CONSOLIDATION ACT, 1935, AMENDMENT ACT, 1936,** (Chapter 98) amends section 4 by substituting "the first of December" for "the fifteenth of December".

Section 5 is amended to enable the secretary-treasurer, in connection with a consolidation agreement, to make an estimate as to arrears of school taxes in cases where he has not been furnished with particulars thereof.

Section 14 is amended by substituting the words "the treasurer may" for the words "the treasurer shall".

Section 16 is amended to provide for the cancellation of a tax consolidation agreement upon the conviction of the person liable thereunder of an offence under the section.

Minor amendments are made to sections 15, 20 and to the schedule.

This Act came into force on March 25th, 1936.

**PUBLIC UTILITIES ACT, 1923, AMENDMENT ACT, 1936,** (Chapter 99) makes provision for the appointment of temporary members of the Board by the Lieutenant Governor in Council for the purpose of assisting the Chairman at any time during which the Board consists of the Chairman and no others.

The Act continues in force until the first day of July, 1937, The Public Utilities Act, 1923, Amendment Act, 1933, as amended by The Public Utilities Act, 1923, Amendment Act, 1934, and The Public Utilities Act, 1923, Amendment Act, 1935.

This Act came into force on March 25th, 1936.

**SECURITY FRAUDS PREVENTION ACT, 1930, AMENDMENT ACT, 1936,** (Chapter

100) amends the title to the Act by renaming it "The Securities Act".

Section 2 is amended to provide a new and extensive definition of the expression "security" and to extend the application of the Act to the activities of traders, brokers and salesmen in connection with stock exchange operations.

Amendments of a minor and routine nature are made to sections 3, 4, 8 and 9.

Section 21 is amended to give the power to compel the payment of costs of investigations conducted pursuant to the Act by the company or person in respect of whom the investigation is made.

This Act came into force on April 3rd, 1936.

**RURAL MUTUAL TELEPHONE COMPANIES ACT AMENDMENT ACT, 1936,** (Chapter 101) provides that every order made pursuant to section 3 shall take effect as and from the making thereof.

This Act came into force on March 25th, 1936.

**AGRICULTURAL INDUSTRIES STABILIZATION ACT REPEAL ACT** (Chapter 102) repeals The Agricultural Industries Stabilization Act save and except only section 2, subsection (1) of section 5, and sections 7, 8, 9 and 11 thereof.

The unrepealed sections continue in force until the first day of May, 1938.

This Act came into force on April 7th, 1936.

**WORKMEN'S COMPENSATION ACT (ACCIDENT FUND) AMENDMENT ACT, 1936,** (Chapter 103) strikes out sections 7 and 8 and substitutes a new provision enabling any Commissioner who is present to exercise all the jurisdiction and powers of the Board in the case of the absence of any Commissioner or Commissioners or his or their inability to act or in the case of any vacancy or vacancies on the Board.

Section 16 is amended to provide for sub-classifications, differentials and proportions in the rates as between different kinds of employment in the same class and for the imposition of a special rate in respect of an industry which has a hazard which is above the average.

Section 44a is amended to enable the Board to increase the period for making reports as to the occurrence of hernia in proper cases.

Section 45 is amended so as to impose upon the Board the duty to provide for the repair, maintenance and renewal of any apparatus provided by the Board pursuant to subsection (2) of that section.

Section 60 is amended so to do away with the minimum prescribed for the subsistence allowance of a workman undergoing medical treatment.

The Act validates all assessments heretofore imposed by the Board.

This Act came into force on March 25th, 1936.

**WATER WELL DRILLING ACT** (Chapter 104) empowers the Lieutenant Governor in Council to make regulations as to water well boring and as to the returns to be made and information to be supplied by any person who bores a well to a greater depth than fifty feet and prohibits the boring of any well to a depth of more than fifty feet without a permit.

A duty is placed upon the owner of any well to take such precautions by means of fencing or otherwise as may be necessary for the safety of persons and live stock which may be in its vicinity.

Provision is made for the sealing or plugging of an abandoned or unused well.

A penalty of \$25 is prescribed for violating any of the provisions of the Act or of the regulations or of any order of the Minister made pursuant to the Act.

This Act comes into force upon Proclamation.

**DOMINION HOUSING ACT MORTGAGES ACT** (Chapter 105) provides that none of the following provisions of The Judicature Act, namely, paragraph (dd) of section 35 and paragraph (o) of section 37 shall apply to any mortgage given to secure any loan made for the purpose of assisting the construction of a house under section 4 of The Dominion Housing Act.

It is further provided that every such mortgage shall, notwithstanding any pro-

vision of any Act or law to the contrary, have priority over every encumbrance of every description whatsoever filed or registered subsequent to the due registration of such mortgage except only in respect of taxes due to a city, town, village, municipal district or improvement district or to the Crown.

This Act came into force on April 7th, 1936.



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